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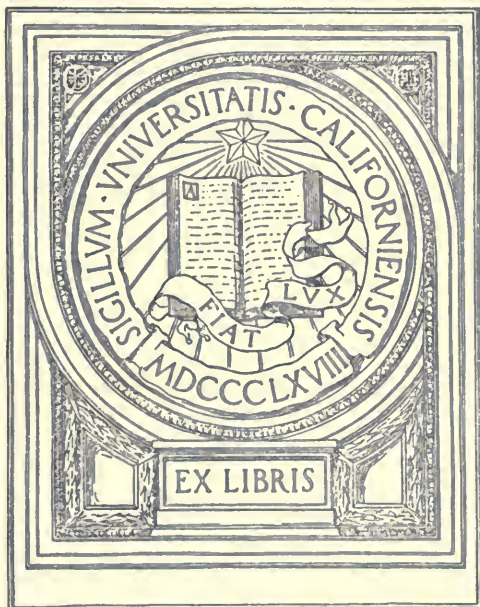
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The Carnatic Question Con-
sidered: in a Letter to a Mem-
ber of Parliament

UNIVERSITY OF CALIFORNIA
AT LOS ANGELES





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THE

CARNATIC QUESTION

CONSIDERED;

IN

A LETTER

TO

A MEMBER OF PARLIAMENT.

Jura neget sibi nata, nihil non arroget armis.

HOR.

LONDON:

PRINTED FOR R. H. EVANS, PALL MALL,
BY C. MERCIER AND CO. NORTHUMBERLAND COURT, STRAND.

1806.

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AT LOS ANGELES

THURSDAY

CARNIVAL QUESTION

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CARNATIC QUESTION CONSIDERED.

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SIR,

THE affairs of India have for some time attracted the attention of Parliament; and a variety of documents, having a seeming tendency to explain several extraordinary transactions of the late Asiatic Governments, have from time to time been called for and produced, for the information of that August Assembly. So rapid a succession, indeed, of great and unexpected events have occurred in India, within a very limited time, that the accounts required of them by the House of Commons, are swollen into the size and into the *shape* of many folio volumes.

The multifarious subjects, to which the papers alluded to refer—and, the extraordinary extent of them, would seem sufficient to terrify any ordinary person, not particularly interested in the event, from examining their contents. And thus, by the very frequent occurrence, as well as magnitude of the subjects which would seem worthy of inquiry, the common mind might chance to be deterred from an investigation, which it would otherwise have been in-

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clined to pursue, if a knowledge of them could have been obtained by any plain and simple process, or in any reasonable time.

If, by any fortunate turn of circumstances, a portion of the substance of these voluminous documents could be impressed on the public mind, or the understanding of the House, the result would be obvious. Show but the *merits* of the *cause*, and *advocates* must necessarily *abound*!

The danger to be apprehended, from the undertaking of any individual, to put the House and Public in possession of the heavy subjects of complaint, which arise out of the papers in reference, is, that the mixed and multiplied matter of supposed *gravamen*, would be too complicated for individual retention: and that the well-intentioned and best-disposed mind, might sicken, and at last sink, under the voluntary labours which it had at first proposed to itself.

You are not unacquainted, Sir, with the tricks of office, and the very stale practice of mingling with the official instruments required, and as often as they are required, every possible paper, which the ingenuity of placemen, or the interest of an opposite party, may luckily suggest. These, exhibited together, are in general of so formidable an appearance, as to forbid the meditated attack.

I know not in any better way to account, why an inquiry has not long been instituted on an interesting subject, which has agitated in a very peculiar degree the public feeling, and opinion; the materials for which have been for years in the hands of every member of the House of Commons.

The Gentleman, who first directed the attention of the House to the matter to which I have alluded, has not only the peculiar gift of a ready perception of a subject, but of easily communicating his own feelings to the bosoms of his auditors. He had, therefore, barely to mention the circumstances which he

deemed necessary to be inquired into, when his sentiments were adopted, and full and eager of his subject, as he was capable of conducting it, he moved for, and obtained, all the papers which he desired for the prosecution of his design.

The documents on the Carnatic Question have been fated, however, to lie as a *caput mortuum* on the table of the House of Commons, for a space of nearly three years. ✓

Who is ignorant of the comprehensive and commanding talent of the Gentleman of whom I am speaking? And I will add too, of his political integrity? It is felt and acknowledged throughout the country. But his habits of ease, which not unfrequently paralyze and counteract these qualities, are, perchance, not quite so well known. And the public might imbibe a prejudice against a cause, which that Gentleman had once espoused with warmth, and afterwards did not prosecute; if it were not explained, that there possibly might be other reasons for the dereliction of the purpose, than were inherent in the cause itself.

That Mr. Sheridan has not conceived otherwise of the measure of the proposed inquiry, since the production of the documents in question, may fairly be concluded from the tenor of his public conduct*. For, since the papers have been produced, he has given more than one intimation of his intentions, though he has not mentioned any specific day for the purpose, of offering the Carnatic Question, with

* Since this letter has been in the hands of the Printer, Mr. Sheridan, speaking of the transactions in the Carnatic, thus expresses himself:—

“ My opinion of that transaction is unaltered, and I continue to think it one of the most unjust, inhuman, and atrocious acts, that ever stained the honour of the British name in India.” Vide Mr. Sheridan’s speech on Mr. Paul’s motion for an impeachment. ✓

its merits or demerits, to the determination of the House.

If I could indulge the most faint hope, that the Right Honourable Gentleman would, in any given reasonable time, state the circumstances, connected with the transactions in the Carnatic, to the judgment to which they are referred, I should not trouble you with a word, Sir, on the subject; but, from the conviction of past events, and from a knowledge of his having recently been admitted to the cares of a public office, which must necessarily engross a great portion of his time, I cannot indulge the most distant prospect of an inquiry, in which, as an Englishman I feel most deeply interested, ever moving from *him*. Though such is my opinion of the Right Honourable Gentleman, and in which I would not be deceived, that, I am well persuaded, he would lend the benefit of his transcendant abilities to any one, who should originate the investigation*.

Not wholly uninformed in Asiatic affairs, nor personally unacquainted with the measures, which attended the succession of the present occupier of the Musnud of the Carnatic, nor the consequences, instant or remote, which flowed from it; I shall endeavour to awaken the slumbering spirit of those, who once took an interest in the subject; and lead them to consider the avowed principles of policy which governed an event, that cannot be kept in countenance by any precedent, in the most barbarous age and country, to which history has attached itself.

I shall be fully satisfied, if I engage but one member of the great body, of which I have often spoken, (and *one*, I think, I may depend on) to look

* From the declaration of Mr. Sheridan, in the speech before alluded to, my opinion, previously formed, of that Right Honourable Gentleman is confirmed and fortified.

dispassionately, but thoroughly, into the Carnatic correspondence: for I am convinced that a perusal of it can leave him no choice: but that he must be anxious, day and night, to remove the seeming temporary, but tacit sanction of his country from a measure, for which policy can frame no excuse, nor power a pretext; and which, until it shall be disowned as the act of Englishmen, must leave a stigma on their character and name.

In the pursuance of my plan, I shall take, whenever it is possible, as the grounds on which I mean to reason, the accounts, as far as they are verified by any thing like proof, which have been rendered by the Asiatic governments: for I would avoid, in every practicable case, a difference in respect to facts, which received, as partially related, on the authority of one side or the other, might give rise to distinct and varying deductions. The subject, from the diffuse manner in which it has been treated by the Secretaries and Authorities of the East, is so complex, as to require a most cautious observance of as simple an arrangement as the discussion is capable of.

I shall aim to show, and from the details of office, that the non acknowledgment and subsequent dethronement of the lawful heir of the late Nabob of the Carnatic, was an arbitrary act of power: and the attempted justification of it, if all the facts were admitted, on which it asserts itself to be founded, is not only puerile and absurd, but profligate and wicked. And that the end, like the means, has been productive of events, which must necessarily have been foreseen, that call for responsibility and sanction.

As the history of the Nabobs of Arcot must be familiar to all, who are at all conversant with Indian politics, I shall content myself with briefly stating, in this place, that the late and the preceding Nabob of that country, as far as the Public could form any judgment, quitted the seat of their successive go-

vernments, by the common course of nature, in seeming peace and amity with the East India Company; and in possession of all the effects of the alliance, which had subsisted for more than half a century between those sovereigns, and the last mentioned Power. I do not however affect to be ignorant, that some questions had been previously stirred by the Supreme Government, and their immediate superiors at home, founded on certain alleged circumstances, of which I shall have much occasion to speak hereafter; having relation to the condition of the Princes of the Carnatic, as it was supposed to be affected by the alleged circumstances in reference, under the operation of subsisting treaties. But the circumstances, whatever they might be, and the questions to which they had given rise, however well known to the local governments and to their constituents at home, were kept as profound secrets from the Nabob—from foreign Asiatic courts—and from all the World besides—until after the events I have before particularized.

On the demise, therefore, of the late Nabob Omdut ul Omrah, in the year 1801, the different Courts, as well as the European establishments of Asia, looked to the succession of the Prince Ally Hussein, the only son of that Sovereign, to the dignities of his Royal Predecessor, as a matter of undoubted right; secured and guaranteed by the East India Company in a solemn treaty. But at this period, to the astonishment of the general mind, the fatal secrets were disclosed, which were not only to dissolve all connections and engagements between the Princes of the Carnatic, and the East India Company, but to have the wonder-working charm of destroying their past operation!

The palace at Chepauk, the residence of the Nabob, was surrounded by the Military of the Company, under the specious pretext of preserving the public peace; or, in other words, as a necessary

precaution for suppressing the popular indignation at the acts, which were about to be performed.

Before the lifeless body of the Nabob was shrouded, within two short hours after its immortal tenant had quitted its earthly habitation, two confidential personages were sent by the Governor of Fort St. George, on a commission to the palace. Your kindly disposition, Sir, and the heart of every Englishman, would seem to have foreran my information. You have anticipated, no doubt, that this confidential commission, arising out of the pious solicitude of the parties in local power, was charged with the office of humanity!—A Prince, scarcely of eighteen years, and unaccustomed by birth, as well as age, to the heavy hand of affliction, might well seem to have deserved this early attention of his friendly neighbour. But, alas! how little are you acquainted with the European heart under an Indian sky?

These cold-blooded commissioners had a deputation of another complexion. They had, it is true, to penetrate into the house of grief; not to join, indeed, in the responses of heartfelt sorrow, but to draw from the deepest recesses of its roof, the chief and most secret mourner; hanging with the last, best efforts of fondness, over the yet warm frame of his departed Sire—A retreat, and an employment, sacred by nature from the profane foot of intrusion.

Yet at such a season, and from such duties, was the youthful and pious prince hurried, (I am speaking from official papers*) to answer (oh shame!) at a public conference, the inquisitorial interrogatories of a dull unfeeling committee! to hear (abominable outrage!) his fair pretensions questioned!—to hear (unparalleled barbarity!) his father's memory calumniated! But—

Vide Page 8 to 10 of the papers produced to the House of Commons in 1801, and the letter of the Prince to his agents, at the end of the same volume.

I will endeavour to pursue my subject with feelings less alive.

After the Prince had shown, by a disclosure of the testament of his royal father, as required, that he was the declared and appointed heir to all his dignities—his Highness was permitted to retire : but the commissioners proceeded to make known to the Regents, who were appointed to assist the Prince with their advice, the further objects of their mission.

And here, for the first time, was it told, that the way to the Musnud of the Carnatic was closed against the Prince, from any *hereditary* pretensions, by the acts of his immediate predecessors ; and that his Highness, if he ever attained to the dignity and state of his forefathers, must owe his elevation to the moderation and bounty of the Company.

I shall not stay the course of my detail, by showing the surprise of the regents, at the information so communicated, but shall pass to the consideration of the objections stated to the unqualified succession of the Prince to the dignities and honours of his house. And these arise out of the correspondence of the Government General,—the subordinate government of Madras ; the authenticated acts of their servants ; and the official papers published, and intended to be published, under their authority :

The papers, to which I would refer, are numerous : but the substance of them, I think, I can fairly collect, and I shall endeavour to confine, within a short space.

✓ The Indian governments and their commissioners, as would appear throughout the correspondence, ✓ have acted on a course of reasoning, adapted to supposed premises, which they had agreed on, and primarily laid down ; namely, that by certain acts of ✓ the Nabob Wallajaw, or Mahommed Ally, and his successor the Nabob Omdut ul Omrah, asserted to have been in violation of a treaty, particular *rights* had accrued to the Company, which operated to the defeazance of the title, and disherison of the heir

or successor to their dignities and honors. Without entering into the doctrine, which may be imagined to have conveyed these advantages to the Company, I shall here advert to the grounds on which they are attempted to be raised: and they resolve themselves, divested of pompous phraseology, to these—

That the territory of the Carnatic, by the treason of the Nabobs Wallajaw and Omdut ul Omrah, brought to light by the discovery of papers after the fall of Seringapatam, passed by forfeiture to the East India Company. This is the language and principle assumed and acted on by the Indian Governments in every part of their correspondence, both before and after the possession of the territory in question. The letters of Lord Wellesley, on the 7th and 23d of April 1800, and the 15th September 1801 *, and the report of the commissioners of the month of July preceding, are in full proof of this assertion. But to use the words of Lord Wellesley in his letter last alluded to—

“ Your Lordship (meaning Lord Clive) is fully
 “ aware, and it is distinctly stated in the declaration
 “ accompanying your Lordship’s dispatch, that the
 “ result of the discovery which has been made of their
 “ late Hignesses, the Nabobs Wallajaw and Omdut ul
 “ Omrah, treacherous correspondence with the late
 “ Tippoo Sultaun, had placed the Soobudar of the
 “ Carnatic in the situation of a *public enemy* to the
 “ British government; had annihilated the exist-
 “ ing treaties between the Nabob of the Carnatic and
 “ the Company; and had sanctioned the enforcement
 “ of such measures, as the British government might
 “ deem necessary for the security of its rights and
 “ interests, as connected with the Soobudary of
 “ Arcot.

“ This is the fundamental principle upon which

* Vide pages 1 and 2, of the papers laid on the table of the House of Commons in 1803, and the Report of the Commissioners, p. 8.

“ the late arrangements have been founded, and consequently the acknowledgment of an inherent right in any member of the family of the late Nabobs Wallajaw and Omdut ul Omrah to succeed to the Soobudary of the Carnatic is incompatible with the maintenance of *that principle!*”

It would seem, from the last paragraph, that the Noble Lord, who was at the head of the administration of the subordinate government, charged with the immediate management of the negotiation, respecting the succession to the Musnud of the Carnatic, had mistaken, as he well might, the principle of policy or justice, on which he was commissioned to act. Unused to metaphysical reasoning, with which his instructions were replete, he looked directly to the object, which he knew and felt to be in contemplation (the substantial possession of the territories of the Carnatic), and so as he obtained it in effect, he was not very scrupulous about the means by which it was attained.

In the treaty first concluded with Azeem ul Dowlah, the Madras Government, not so well informed of the doctrine of forfeiture as afterwards, negotiated with his Highness, in express terms, on the principle of *hereditary right*; and although the blunder was detected by the quick and shrewd eye of the Governor General, he did not grow angry with an arrangement, which had put him in possession of the fee-simple of the Carnatic, subject to a trivial *annuity*; though the *preamble* of the *conveyance* had not been executed with *technical precision*.

Lord Wellesley, sensible of the error of the inferior Government, had yet the prudence to observe on it, in his letter on the 15th of September, in a way at once expressive of his own moderation, and the delicate respect due to his noble coadjutor. For he says*: “ His Excellency in Council, however,

* First volume of the papers of 1803, p. 72.

“ deeming it advisable that the terms of the treat-
 “ should be strictly consistent with the fundamenta
 “ principle of the arrangement, in conformity to
 “ the foregoing observations, has introduced into
 “ the modified treaty a change of the terms of the
 “ preamble, and of the first article as executed by
 “ your Lordship in Council; and his Excellency, in
 “ Council, directs, that should your Lordship be of
 “ opinion, that the modified treaty may be proposed
 “ to his Highness’s acceptance, without the *hazard*
 “ of *his dissent* or *displeasure*, or without *compro-*
 “ *mising* the *dignity* or the *public faith* of the Go-
 “ vernment, which your Lordship in Council may
 “ possibly have deemed it expedient to pledge to
 “ his Highness, for the acknowledgment of his he-
 “ reditary title, your Lordship will propose the
 “ modified treaty to his acceptance. But should
 “ your Lordship in Council, suppose it to be unad-
 “ visable to make this proposition to his Highness,
 “ either on any of the grounds herein specified, or
 “ on others, of which his Excellency in Council is
 “ not at present apprised, your Lordship is at liberty
 “ to return the modified treaty to Fort William, and
 “ to consider the former as binding and conclu-
 “ sive.”

I know not which is most to be admired in this
 farrago of diplomacy, the delicacy to be observed
 to the Prince, who had been enthroned; or the at-
 tention to be shown to the *dignity* and *good faith* of
 the Government, which had been supposed to be
 plighted in the transaction. It is mockery to talk
 of the *hazard* of the *dissent* or *displeasure* of a puppet!!
 the avowed and declared creature of the Company’s
 workmanship and bounty; or of the compromise
 of dignity or public faith; where *none*, except in *terms*,
 had ever been pretended to!! The transaction is
 bold and barefaced. It is daring and successful am-
 bition triumphing over its prey. If it lose *that* cha-

racter, I see nothing about it that can otherwise protect it from abhorrence and contempt.

But, without any further prefatory observation, let us examine the premises from which the forfeiture of the territories, and of the rights of the lawful Sovereign of the Carnatic, is said to be the dreadful result; and these are alleged to arise, in the form of a number of ingenious syllogisms, from several pieces of documentary evidence, supported by slight oral testimony, *ex parte* taken; and of the reasonings of Secretaries, Persian Translators, and (if they may be mentioned in the same sentence) by Governors and their substitutes.

The main proposition sought to be established is:—

That the Nabob Wallajaw, and the Nabob Om-dut ul Omrah; carried on a secret and traitorous correspondence with Hyder and his successor, from the year 1773, in violation of their engagements with the Company.

Of the deduction, thence drawn, I shall not now speak.

The papers principally relied on by the Governments of India, as serving to make out the proposition, are several accounts given by the Ambassadors of Tippoo, of the disposition of the Nabob and his Son; of letters, or supposed letters, from the latter Princes; and of natural constructions drawn by the representatives of the Company in India, or their officers, from the writings of the parties. These latter are to be gathered from the letters of the Governor General to the Government of Fort St. George; from the report of the Persian Translator on the documents submitted to his examination; and from the detail of the Examiners of the evidence of living witnesses who had been interrogated, under the authority of the supreme government. The time included by the corre-

spondence, and the acts to which it relates, is of the duration of twenty-eight years; and the best order for the consideration of one, and the other, would seem pointed out, by the natural succession of events, in the course in which they took place. ✓

Before I observe on this *testimony* (the *name* by which it has been dignified), I must beg leave to call your attention, Sir, to the situation of the principal party; and to the very large interests, which are involved in the inquiry. You have before you a Prince, scarcely of a mature age, whose rights are called in question, and are about to be determined by a new species of evidence, which it is my business to trace: evidence! not derived, nor pretended to be derived, from any act of his, but from the conduct of an ancestor long since dead; which, in its consequence, is to give or take away a kingdom! to destroy the throne of the Prince; to disturb the memory of his Sire; to involve the living and the dead in one common fate, in one fame!

I need not, I am sure, take much pains to impress you with a feeling, which might give you no very strong leaning to a proof drawn from a source, such as I have described; if, by any possibility, it could be made applicable to the case. When we are called on to consider the acts of parties dead, the mind naturally affixes to them, whenever it can indulge such an interpretation, a *good*, rather than a *bad* motive: and, when it is obliged to pass a judgment on any ambiguous saying or writing of the deceased, it will, with the same candour, exercise the same leniency. None can feel disposed to take either their acts or their expressions in a bad sense, where a good one, consistent with appearances, may be as well maintained. And, if this disposition be natural in ordinary cases, how much more reason is there to expect it, when the acts and writings of others, long at *rest*, are to be *revived*, for the purpose of destroying the rights of an individual, *unborn* at the time,

when most of them (if they shall appear to have any criminality about them) were imagined and committed?—I ask but, in this case, what the meanest subject of the country would be entitled to in the adjudication of his rights.

Perhaps, in requesting this allowance, I may have given a seeming weight to the supposed proof which I am immediately to treat. As it regards the Prince himself, I have been accustomed to feel myself wholly without an apprehension, either as to its tendency or effect. But I own I am a little anxious (not improperly anxious, I hope,) to free the memories of the high personages, implicated in the bearing of it, from the calumnious *post-obituary* obloquy, which it is tendered with a view to fix on them.

The first act, in which the Nabob Mahommed Ally or Wallajaw is asserted to be implicated, took place in the year 1773; and his inferred offence is to be collected from a correspondence of an Ambassador, at the Court of the Nabob, to his Sovereign Hyder Ally. This matter of accusation is furnished by the Governor General to the Madras Government, in his letter of May 1800*, with a long commentary by the Persian Translator.

It must not be understood, in considering the paper in question, that I am admitting such a document, in its nature, as any thing, in the most distant shape, of *evidence*; either against the Nabob Mahommed Ally, or any individual, other than the party writing it. It is too monstrous a proposition, to be tolerated for an instant, that an indifferent person can be implicated in the thinking, or writing of another, to which he had not subscribed, or set some mark of his privity or approbation. Of this I may have occasion to speak somewhat more at large

* Page 32, of the papers laid on the table of the House in 1803.

in another place. But to return to the letter of 1773*, written by Mohammud Osmaun; of which I shall give such extracts, as are relied on by the Persian translator; and as are adopted by the Marquis Wellesley, and forwarded to the Government of Fort St. George.

In the commencement of the report of the Persian Translator, he observes†: — “That the circumstances, however, most important, which are disclosed by the documents adverted to” (meaning the letters discovered at Seringapatam), “is an intimate connection, which he” (the Nabob) “appears to have formed with Hyder Ally, at a time when he was supposed, by the British government, to entertain the most inveterate animosity against him. The rise and progress of the connection is to be traced in the letters of Mahommed Osmaun, which are very voluminous: but the nature and tendency of it is sufficiently developed by the accompanying translation of one of them, dated in 1773; relating the substance of a private conference between him and the Nabob, in which the latter is represented to have expressed his attachment to Hyder Ally, and his disposition to connect himself with that prince, by ties of common interest, in *terms as forcible as language can convey: terms!* not only incompatible with the *faith of his alliance* with the British Nation, but indicating and implying a desire for the subversion of the British Power in India; and an anxious wish to establish his own independence on the ruins of it.” And in verification of his report he quotes passages from the written instrument alluded to. “The Nabob” (as Mahommed Osmaun writes), “taking me by the

* It is given at length, page 122, of the papers first produced to the House of Commons.

† Page 33, of the second set of papers laid on the table of the House.

“ hand, led me to the top of the house, where there
 “ was a room, from whence the beautiful prospect
 “ of the sea, Fort St. George, &c. &c. like a plain,
 “ appearing to our view: he remarked, what a
 “ beautiful spot it was, and added, ‘ May the Al-
 “ mighty God soon produce a cause, from which
 “ the Nabob, Hyder Ally, and I shall be enabled
 “ here to sit and enjoy ourselves together.’ Again,
 “ ‘ It is necessary a friendship should subsist between
 “ us, so firm, as that both our countries should be
 “ one. Your master may make many friends;
 “ but, doubtless, such a friend as I am, he can
 “ never acquire. I am *that* friend, who, if he
 “ (which God prevent) should require the sacrifice
 “ of my child, as a mean of promoting his pros-
 “ perity and dominion, would (looking upon this as
 “ the greatest blessing in the world) most willingly
 “ deliver up my offspring to him. It is my wish to
 “ establish such a friendship with your master, that
 “ our children after us may be united in the bonds
 “ of affection and love.’ ”

The interpreter goes on with other passages like
 these, and then concludes:—“ Were these sen-
 “ timents consistent with the nature of the Nabob’s
 “ connections with the English? Were they com-
 “ patible with the aid, which the British govern-
 “ ment had a right to expect from him? And did
 “ they not point out to Hyder Ally, the *neutrality*,
 “ if not the *assistance*, which he might expect from
 “ the Nabob in a future war with the English?”
 In this way he proceeds to draw his inferences,
 which, if taken to be truly deduced, i. e. from un-
 erring premises, would involve the Nabob in a
 situation as odious as could well be conceived.

You are led of course to imagine, from the
 wrathful ebullition, and the indignant conclusions of
 the Persian Translator, imbibed in all their bitterness
 by his superior, that the Nabob, in making such a
 communication, as he is supposed to have done, to

the Ambassador of Hyder Ally, had acted, not only against the knowledge, but against the advice and interests of the Company, as well as against the letter and spirit of his engagements.

You will not be a little surprised, Sir, when you shall see, from the Company's own records, that this *treasonable* intercourse, this *abominable breach of faith*, of which they have the effrontery to complain, was not only acted with their knowledge, but was the object of their earnest wishes, and the favourite aim of their policy.

The following extracts cannot be read without putting the matter beyond the possibility of doubt—

Letter from the President of Fort Saint George, to the Nabob of Arcot, dated 30th August, 1773.

“ I have been honoured with the receipt of your
“ Highness's favour of the 27th instant, *enclosing*
“ *copies of two letters from Mahommed Osmaun*; my
“ sentiments, concerning the *answers to which*, you
“ are pleased to desire.

“ As your Highness, from more intimate know-
“ ledge, must be much better acquainted with the
“ particular circumstances of your situation, with
“ respect to the several Country Powers, than I can
“ possibly pretend to be, and of course a much
“ better judge, not only on the construction which
“ may be put, and consequences which may attend,
“ the receiving of a vakeel from Hyder Ally Khan,
“ and the sending one to him; but also the particular
“ form and mode of expression, proper to be made
“ use of on so nice an occasion: in reply to these
“ letters, I must beg leave to refer the same to your
“ Highness's better judgment; taking the liberty
“ only to give the following general opinion, to
“ wit, *that as the tranquillity of the Carnatic is of*
“ *the last and highest importance, both to your Highness*
“ *and the Company, I think that every endeavour, con-*

“ *sistent with honour, and the maintenance of harmony*
 “ *with other powers, should be employed towards the*
 “ *keeping up of a good understanding with Hyder Ally*
 “ *Khan.*”

Extract of Secret Consultations of Fort St. George,
 Dec. 23d, 1773.

“ The Nabob, after relating the state of parties in
 “ the Marhatta Government, &c. observed, *that*
 “ *having received a letter from Hyder Ally Cawn,*
 “ *with certain proposals, for a treaty of alliance, it*
 “ *was necessary he should come to a speedy determi-*
 “ *nation, either to accept of, or reject his proposals ;*
 “ *that, for this purpose, he had desired to consult with*
 “ *his friends,*” (meaning the English Government,)
 “ *on some very material circumstances, which ought to*
 “ *be well weighed before an answer is returned to*
 “ *Hyder Ally ; that Hyder Ally had many advantages*
 “ *to expect from an alliance with the Carnatic,*
 “ *whereas we had none to expect in uniting with*
 “ *him ; that his (Hyder’s) strength was very inade-*
 “ *quate to a war with the Marhattas, and should we*
 “ *be engaged in hostilities with that Power, all*
 “ *Hyder’s force, joined to our army, would not save the*
 “ *country from being ruined. Should the Marhattas at-*
 “ *tack the Mysore country, and we determine to assist*
 “ *Hyder with an European army, the Marhattas*
 “ *would infallibly invade the Carnatic, and cut off*
 “ *all communication with the army on the other*
 “ *side of the hills, &c. &c. The Nabob added*
 “ *many other objections to an alliance with Hyder Ally ;*
 “ *and from the whole tenor of his conversation, evidently*
 “ *showed, that an alliance with the Marhattas was*
 “ *the measure he had most at heart ; and, for which*
 “ *purpose, he represented the strength of Hyder*
 “ *Ally as nothing, when compared to the force of*
 “ *the Marhattas.*”

Extract of a Letter of the Nabob, to the Government of Fort Saint George, 29th Dec. 1773.

After lamenting, that his proposal of an union with the Marhattas was not accepted, the Nabob writes—

“ The talk of the former Governor and Council
 “ was for an alliance with Hyder Ally Cawn, and
 “ they considered the tranquillity of the country as
 “ consisting therein: Ally Zemaun Cawn, and also
 “ Mahedur Ally Cawn, are now come on the part
 “ of Hyder Ally Cawn, with the view of an alliance
 “ and mutual assistance. Since then, and on
 “ account of the reasons aforementioned, and the
 “ additional one, *that my friends do not esteem an*
 “ *alliance with the Marhattas proper*, I am ready,
 “ *conformable to the advice of the Governor and Coun-*
 “ *cil*, and to the present situation of affairs, to form
 “ an alliance with Hyder Ally Cawn; and, accord-
 “ ingly, enclosed I send, for your inspection, a copy
 “ of the letter from him, together with a copy of
 “ the paper containing his proposals, brought me
 “ by his Vakeels; also, a copy of the proposals I
 “ have considered in reply to his proposals.”

Extract from a Letter of the Governor of Fort Saint George, to the Nabob, dated 5th Jan. 1774.

The Governor of Fort St. George, having stated, that he had for his own reasons declined an alliance with Hyder Ally, for the protection of his country, writes—

“ I beg your Highness will, on no account, how-
 “ ever, consider what I have said, as in any measure
 “ meant to discourage your Highness from establish-
 “ ing a friendship with Hyder Ally Cawn: I think,
 “ on the contrary, it is for the interest of the Car-
 “ natic, that a good understanding should subsist
 “ between your Highness and him, and that every
 “ consistent means of cultivating the same should
 “ accordingly be made use of.”

Extract from the Military Letter of Fort Saint George, dated 6th July, 1774, to the Court of Directors.

“ It is, however, worthy of remark, that when
 “ the Nabob was eager for the expedition against
 “ Tanjore, in order to lessen the apprehension of
 “ the Marhattas; *he seemed inclined to an alliance*
 “ *with Hyder Ally*; and went so far as to signify,
 “ that if a vakeel were sent to him from Hyder
 “ Ally, he would return a letter of friendship to
 “ Hyder Ally, by a person of consequence. A
 “ vakeel from Seringapatam has been with the
 “ Nabob for about *three months*, and it was only in
 “ consultation of the 16th January, that we were in-
 “ formed by the Nabob, that he proposed without
 “ loss of time to return the vakeel with a letter to
 “ his master. We do not mean to infer from hence,
 “ that the Nabob’s *sentiments are changed*. No, we
 “ are convinced, that his *favourite scheme has always*
 “ *been to join the Marhattas, and totally extirpate*
 “ *Hyder.*”

Is this the *secret correspondence* in abuse of the confidence of the Company? Is it hence, that the disposition of the Nabob is to be argued in favour of Hyder Ally, and in hostility to his ancient engagements? Do these contain the seeds of a friendship intended to destroy the British interests, and to subvert their power and stability? Or has the Persian Translator, in considering the purport of his report, wholly overlooked the circumstances related with the grounds of it?

It would seem extraordinary, perhaps, at the first blush, that such a paper, and such a commentary, should be introduced in the vindication of the Carnatic Succession, when so ready and complete an answer might be given to it. But natural astonishment will cease, when the season of the production is attended to. It will be recollected, that this, and other writings, were submitted, during the negocia-

tion, to the young Prince, with a view to show the hopelessness of his cause; at a time when his mind, if it had at all been acquainted with the particulars of preceding reigns, might not, from domestic affliction, have been very competent to refer to them; or, if it had been, the means of the refutation of the circumstances alleged were not in his immediate reach, but in the archives and keeping of the Company. And a negotiation, managed at the point of the bayonet, was not very likely to allow time to hunt for papers, to defeat its own object. So that there were a chance at least that the impression, which it was calculated to make, might have its temporary operation. There was no apprehension *then*, that an inquiry might be demanded; which would expose every transaction, relative to this unparalleled negotiation, to the view of thinking and ingenuous minds. But happily, the occasion, not then meditated, has now arrived. The eye of an intelligent Public is now directed to the detection of a fraud, too glaring to require the extended finger to point it out; and too loathsome to be dwelt on.

I should be glad to turn to any other part, where the understanding might not chance to be offended with similar impositions. But wheresoever the most careless observer shall glance his eye, on any side of the transaction, it will be disgusted with attempts, perhaps not so flagrant, but certainly as determinate, to mislead his judgment and opinion.

I have before explained, that the bulk of the supposed evidence, of the Nabob's violation of the subsisting treaties, is inferred from written documents, explained principally by the oral evidence of the ambassadors of Tippoo Sultaun; of which not one is in the hand-writing of the high personage most materially interested; and but two, as it is stated, in the hand of the Nabob Omdut ul Omrah, during the life-time of his father: the rest are the writings of persons, neither subject to their commands, nor in

any sort of connection or relation with them. From the result of all, it is contended, that, by a secret and unlawful intercourse with the Sovereign of Mysore, the Nabob Mahommed Ally had placed himself, from the situation of an ally, in the condition, with all its consequences, of an enemy to the East India Company; and that the aim of the secret intercourse, which is stated to have led to the latter relation of the Prince, was to seek an alliance with Tippoo, either of a political, or of a religious nature; in either case, equally operative; in opposition to, and in the subversion of his engagements with the Company.

It is peculiarly thrown on the Eastern Governments, not only from the staleness of the date at which the accusation is brought forward, but from their plain and manifest interest in the inquiry, to make out a clear and indisputable state of things, so as to include the Nabob within the charge, which they have preferred against him, and the penalty resulting from it.

The alleged pieces of written evidence, which extend to the number of 21, and are annexed to the Declaration of the Government of Fort Saint George, I shall first consider, in a substantive and detached way; and afterwards, shall speak of their general tendency and purport.

No. 1*, appears to be two extracts from a letter written by Golaum Ally Khaun and Alli Rhezza Khaun to Tippoo Sultaun, under a date correspondent with the 15th June 1792. This relates to the first visit paid by the Princes, the sons of Tippoo Sultaun, to the Nabob Mahommed Ally on the 10th of June; and to the return of the visit by the Nabob on the 13th of the same month. On the first of those dates, the ambassadors state to their master, that the Nabob had expressed himself in terms to the following effect:

* Pages 44 and 45 of the papers laid before the House of Commons in 1802.

“ May God long preserve Tippoo Sultaun, who is
 “ a Pillar of the Religion of Mahommed. Night and
 “ day I used to be absolved in this contemplation,
 “ and to pray for his Highness’s prosperity ; I call
 “ God to witness this fact, because the *confederacy of*
 “ *three Allies* was for the subversion of the Mahomme-
 “ dan religion. It is solely to be attributed to the
 “ divine goodness, that the prayers of us sinners have
 “ been accepted. Believe it true, that I, from my heart,
 “ desire the welfare of the Sultaun.” And at part-
 ing on the above occasion, the Nabob is again said
 to have made use of further friendly assurances.

“ He then told us” (as the Ambassadors write),
 “ that his life was now drawing to a close ; that for
 “ what had *hitherto* taken place, between his Highness
 “ and your Majesty, there was no remedy ; but
 “ *now*, merely out of a regard to the faith (of which
 “ your Majesty was a Pillar) he was desirous of estab-
 “ lishing a cordial harmony with your Majesty.” And,
 after setting forth an endeavour to interest the Am-
 bassadors, in bringing about such harmony, they
 proceed—“ That although his Highness wanted to
 “ *prevent the war* between your Majesty and the
 “ *three allied States*, yet that Nizam Ali Khaun, at
 “ the latter period of his life, was *thus* preparing for
 “ futurity, by *exerting himself for the destruction of*
 “ *religion*. It was solely from a regard to the faith
 “ that his Highness did not encourage the measure,
 “ &c. &c.”

I shall not again repeat, what I have before ob-
 served, that this account, given by the Ambassadors,
 cannot be taken as conclusive of any thing against the
 Nabob Wallajaw, who never saw it, nor could in any
 way or shape have been considered privy to it. ✓
 This, in common justice, would not be denied, if
 the account could be considered as a fair narrative
 of circumstances, in the manner in which they oc-
 curred ; but when the writers of the detail, them-
 selves, have distinctly stated (as I shall hereafter

show), that they were in the habits of *enlarging* and *modifying* the *sentiments* of the Nabob, and of adapting their phrase and meaning to the gratification of their master, little or no consideration can possibly be given to them. From the conversations of his Highness, on this and other occasions, as reported by the Ambassadors, much however is argued.

The Persian Translator, from one of the very passages I have just quoted, makes this conclusion *—

“ It is obvious, from these expressions, that from the very
 “ commencement of the war between the allies and Tippoo
 “ Sultaun, the Nabob, Wallajaw (or Mahommed Ally), wished
 “ success to the arms of Tippoo against the Power, with which
 “ he was connected by the most solemn obligations of union
 “ and alliance. And that by entertaining sentiments so inimical
 “ to its interests, he violated the fundamental principles of
 “ that alliance. This *pre-established* fact gives additional force
 “ to the open declarations which the Nabob *subsequently* made,
 “ &c. &c.”

I should give no very great weight, nor credit, to any deduction (I mean not to speak with disrespect of his abilities) which the Persian Translator might have drawn, if I had not seen, that such deduction had been received and acted on by the Governor General, so as to become his own. And this is to be clearly observed in the Declaration, which his Lordship sanctioned and intended to publish to the world; but which he afterwards thought proper, from prudential motives, to suppress.

So, a few empty compliments, and stale wishes for the prosperity of the Sultaun, expressed in the true Eastern style, not at the time when such wishes could be available, but after the determination of a successful war against him, in which the Nabob had taken

* See printed Report of the Persian Translator, from page 4 to 18 of the papers of 1803.

an active part with the Company, are to be converted into the violation of the fundamental principles of his alliance; and to be viewed as the *substratum* for other proof of the traitorous disposition of his Highness! This sort of argumentation is too trifling for a boy in his primer.

Could it be expected, by flattery so gross, and at a *first visit* to the Ambassadors, that the Nabob could imagine that he was laying the foundation of a future and sincere friendship? To admit such a supposition, you must first contemplate the Nabob, and the parties whom he is addressing, as the veriest dolts in the world. For if the Nabob had put up his *prayers*, for the success of the arms of Tippoo (of which his Highness only could be *informed*), what must naturally be supposed to be the *sincerity* of them, when the success, which they went to implore, would not only have brought down ruin on his only protectors, but would consequently have involved his personal interests in inevitable destruction? For Tippoo could not be imagined as having any great disposition to extend his mercy to a Mussulman, over whom he had prevailed by the means and chance of war.

But then, the hostilities, in which the three Allies were engaged, had (as it is stated to have been observed by the Nabob) a tendency to subvert the Mahommedan religion. And therefore the Nabob, it is alleged, had a wish for the termination of them in favor of the Sultaun. In a word, his Highness is averred to have had the disinterested motive; to give up his own dominions, and to sacrifice the territory of a *second* Mussulman Potentate, which the Nizam, one of the other confederates, was, for the purpose of erecting *one great* Mussulman Power in the person of Tippoo Sultaun. Yes, the Nabob evinced, at the *introductory* visit, such a *warmth* of *affection* for the Sultaun, and so much bigotry for the faith, that his disposition could not be doubted. From the ar-

dency of the Nabob's *professions* for the *Mahomedan faith*, in this and other places, an inclination is argued to have been in his Highness, for entering into a *holy league* for the support of it ; and hence, a hundred alarming effects in the minds of the Interpreter and his Noble Patron, are conjured up and recounted, though at the distance of several years from the date when they were uttered.

The Marquis Cornwallis and other intelligent minds, who were on the spot, when these pious pranks were playing, saw nothing of that alarming consequence, which has since been descried in them; and the event has not shown, that these illustrious characters were blind to what was passing.

On the return of the Ambassador's visit, by the Nabob, (as it is stated in the same paper, No. 1.) Lord Cornwallis and General Meadows were present; and his Highness here, as is related by the Ambassadors, used a language equally as warm as at the first interview, and to the same effect—

“ That his Highness took occasion to observe, “ that we considered him to have been an enemy, “ whereas he declared, in the presence of God, “ that he *was* not, and *is* not. That, on the contrary, he was a friend and well-wisher ; and that “ he had opposed the *breach* between your Majesty “ and the *three allied States*, to such a degree, that “ every one decided in his own mind, that inwardly “ your Majesty and his Highness were *one*.”

If there had been any supposed criminality in the professions of his Highness, it was plain, that he did not endeavour to conceal it. But it is said, by the Persian Translator, to do away this inconsistency, “ That the sentiments, above quoted, are re- “ presented to have been expressed in the presence “ of Marquis Cornwallis, Sir C. Oakly, &c. &c. ; “ but it is easy to conceive the facility with which “ the Nabob might have held such discourse, with-

“ out being observed by the person who interfered
 “ between him and his Lordship.”

Now all who have ever been in India, or are at all informed of local customs, must know with what ceremony and publicity these sort of state visits are made; the vast number of attendants and interpreters, who surround the parties engaged in any conference; and the impossibility of any public conversation escaping the general ear.

But, it was not probable, in a formal visit of this sort, that any privacy should be affected. The Ambassadors contradict every possible supposition of it, by expressly stating—

“ That the Nabob desired them to ask Lord Cornwallis and
 “ General Meadows, who were present, whether he said true
 “ or not.”

Need I trouble you, Sir, with another observation here?

On the two succeeding documents, I shall not have occasion to offer much remark. They are extracts of letters from and to the same parties as the last, selected from the same source, and exhibited with the same intent. One of them is dated on the 21st, and the other on the 22d of June, 1792.

To show the mind with which these papers were produced, I must again refer you to the report of the Persian Interpreter, which says—

“ That the Vakeels (or Ambassadors) were charged, by
 “ Tippoo Sultaun, with some concealed commission at Madras, appears from several of the accompanying documents,
 “ particularly from two letters, from the Vakeels to Tippoo
 “ Sultaun, dated in June 1792, in which they profess the
 “ most inviolable secrecy; and, also from the mysterious expression, so frequently made use of in the correspondence

“ between the Vakeels and Seringapatam ; ‘ *The affair you know of :*’ but what the nature of it was does not clearly appear.”

And hence it is argued, that such secret correspondence must be at once adverse to the Nabob’s engagements, and the Company’s interests.

You will perceive, Sir, that by going on in this course, the Nabob’s name and character might be involved in all the numerous objects of the mission, on which the Ambassadors had been sent ; whether he was connected with them or not. If any thing of ambiguity should occur in their correspondence, of which *they* only could be competent, and could be required to explain, does it follow of course, that the ambiguity should be construed into the criminality of the Nabob ? What if his name be not mentioned, nor any act spoken of, in which it could be insinuated, that he had the least possible concern ? Yes, the Governor General and his immediate agent *will* have it so.

They have adopted and argued, and re-argued on the premises ; however erroneous, however fallible they must seem to every reasoning creature. They have held them and retained them, as long as they could be retained ; and they would still have kept them as their key-stone, if evidence, afterwards produced by themselves, had not destroyed their air-built foundation, and their visionary superstructure ; if they had not been *made* to confess, that such a course of reasoning was liable to fallacy ; and that the proof of it was discoverable in their own conclusions.

The injunctions of secrecy from Tippoo Sultaun, and the expressions of incorruptible fidelity on the part of the Ambassadors, which these letters disclose, it is at length felt and acknowledged, might have another possible relation than to the devoted

Sovereign, to whom they were at first applied. The ultimate report of the Persian Translator sets this matter clear as light *—

“ From Ally Rhezza Khaun’s evidence, however, it appears, that their promises of *inviolable secrecy*, (mentioned in the letters Nos. 2 and 3.) referred to the key of the figured cypher, which Tippoo Sultaun sent to his Vakeels, for the purpose of communicating secret intelligence; and the affair you know of, to a marriage projected between the families of the Nabob and Tippoo Sultaun; and not to the supposed *political negotiations* between the Nabob and the Sultaun.”

And, considering another paper at the same time, on which it will be necessary to observe hereafter, he concludes—

“ And therefore the *inference* deduced in the report, from the documents above mentioned, must be considered as *erroneous*.”

How easy is it to imagine, that a mind, anxious for the establishment, and interested in the event of a fact, may fall into a way of thinking, conducive to the conclusion of it! If this, of itself, should make one pause, ere we afford an ear to such sort of reasoning; how much more should we hesitate, when we have detected, and when we are at every instant detecting, false inferences from specious and delusive data? I ask not a total disbelief of every deduction, which the Indian Logicians shall come to; but, that you will be slow to receive them, seeing, not only how erroneous, and how uncharitable their course of reasoning has been, but

* Page 47, of the papers before the House of Commons of 1803.

how inconclusive in its nature, such a species of argument always is. All other inference from what I have now shown, I shall at present leave to others to make, and proceed to the examination of the fourth paper.

This is a letter also from the Ambassadors, under date the 4th of August 1792; and refers, as the first number, to a visit by the Nabob, and the usual complimentary return. In this intercourse, the Nabob, in an address to the hostage Princes, takes an opportunity of pouring out a plentiful draught of pious flattery, on the merits of the Sul-taun, their father; and, in the same general way, in which he had served up a like offering on the preceding occasion. He is hailed by the Nabob, as "the pillar of faith, the sole support of religion, the "*victorious and triumphant*," and Heaven is invoked to *keep him so*!! Whether this rhapsody made any impression on the children, it may not be very fitting to inquire; on any other, it could never have been imagined to have had the least effect: for every one, of maturer judgment, must have known, what sort of *victory* and *triumph* the Sul-taun had at that time to rejoice in and maintain, when they adverted to the very unfortunate end, that had been just put to a war, which he had waged against the Company, and the Nabob; which had placed half his territories, and (indelible disgrace!) his favorite sons, in the hands of the British Government, for the fulfilment of his capitulation.

His Highness, here also, as in the first visit, tells a long story, about the share he had in bringing about this *desirable* peace for the Sul-taun; and calls on Major Doveton to vouch for his friendly interference. Here also, as in all other visits to the hostage Princes, it is to be observed, that a public officer of the Company, well versed in the Persian language (for on that account he was selected for the office), is constantly present, and is advised of

all the secret overtures, that are made on such suitable occasions. ✓

Although at this mutation of ceremonious calls, between the Nabob and the Ambassadors, with their charge, no one distinct proposal is made (as well might be expected); yet the Persian Translator (though he admits this by his silence) consumes the space of three folio pages*, in endeavouring to make out, from the general complimentary expressions, bandied about with much dexterity, from one party to the other, that the Nabob, from religious motives, was laying the foundation for a connection, hostile to the British Nation in India.

But let us see how far the foundation was advanced at this date? How far the Nabob had succeeded in his devotional pursuit, which is supposed to have been the object of his wishes by *day*, and of his prayers by *night*? At this last meeting, which is at a distance of nearly two months from the former, the Nabob is said to have observed to the Ambassadors: "In my first conversation with you, I spoke to you on the subject of establishing a friendship and harmony, between me and Tippoo Sultaun; have you intimated it to him? and have you received a favorable answer?" Two months are suffered to elapse, without any direct communication between these Eastern *Pylades* and *Orestes*; and, all the notice ultimately taken, of these more than amicable advances, is casually and cursorily exhibited by the party, who first felt the ardent sentiment, which he wished to be returned. A cold visit of form is conceived to be the best place and time of imparting the reciprocal passion,—the "*mollia tempora fandi*." And what do the bearers of the Sultaun's response communicate?

"We replied" (say they, in writing to the Sultaun), "that we had set forth to your Majesty, word for word, the

* Vide pages 6, 7, and 8, of the first Report.

“ friendly sentiments his Highness had expressed, and that
 “ your Majesty had written, in reply, that friendship, union,
 “ and brotherly regard, had, from *the beginning*, been esta-
 “ blished among the professors of *Islamism*, as was evinced by
 “ the testimony of the Holy Book, agreeably to the *prescrip-*
 “ *tions* of which your Majesty wished that cordial friendship
 “ and attachment should, without prejudice, or partiality, be
 “ established between the followers of the faith, as the means
 “ of the supporting the religion of Mahommed. And that
 “ your Majesty had added, God preserve the Nabob Walla-
 “ jaw, who is a Prince, and one of the leaders of the faithful,
 “ and a pillar of faith.”

At this cold—ice-cold return to an ardent and glowing declaration from the Nabob (which barely states the shadow of a regard, and *that* not on personal grounds, but on the score of professing a common faith), the Nabob, like an old dotard, is represented to have melted into tears.

“ At the term, *a pillar of faith*” (say they), “ the Nabob
 “ could not suppress his tears, and said, ‘ I am, what I know
 “ myself to be. Tell the Sultaun *he* is the pillar of faith, and
 “ may God preserve him, and grant him a long life, &c. &c.’ ”

What the actual impression, which these scenes and reports made upon the Sultaun, we may read in his letter, which was thereupon written to the Ambassadors, and which is the paper, No. 5. As this speaks for itself, and describes particularly the progress of this extraordinary friendship at this time, I shall give it at length. I am the more inclined to do this, as it is not very long.

“ I have received and understand the contents of your Arzee,
 “ intimating the distinguished kindness and regard, with which
 “ the Nabob Wallajaw treats my sons, and the sincere friend-
 “ ship which he entertains towards me. It is evident, that
 “ the Nabob is a pillar of the Mahommedan religion, the

“ Elect of the Almighty, a man of dignity and worldly experience. Whatever favour and attention he may show towards my sons, who are his guests, and you, I shall assuredly consider as a kindness conferred upon myself: This circumstance affords me much pleasure.

“ My hopes from Almighty God, and his Divine Messenger, are, that the Nabob will do whatever may tend to the support of the religion of Mahommed, and that he will give the necessary attention to the point. You will mention to him, that he must consider my sons as his own, that, in conformity to the command of God and the Prophet, the improvement of friendship amongst the professors of *Islamism*, will be beneficial to various concerns, both spiritual and temporal; and that deeming me attached to our common religion, and to his Highness’s person, he will direct his attention accordingly. You will also state to the Nabob *other points of friendship, which you have repeatedly heard from my mouth.*”

Now, if these writings are indicative of the dispositions and acts of the parties, you have before you something more than fanciful deductions from their correspondence, made and adapted to the views of the Eastern Governments: you have the plain and undisguised sentiments of one of the parties himself. His thoughts are before you, as imagined at the time, and drawn from an indisputable source, his own records; and it could never have been presupposed, that they would have been ushered into light, for the purposes for which they are now drawn forth. This most decidedly evidences, that at this juncture, though many complimentary and courteous expressions had been used, nothing in the shape of a proposal had been understood by the Ambassadors, and, in pursuance of such an understanding, had been forwarded to their Court; or, if forwarded, that it had been declined or overlooked.

If you wish any further satisfaction, as to the worth or extent of these friendly protestations, you will obtain it, in profusion, from the secret examination, at the instance of the Supreme Government.

Alli Rhezza, one of the Ambassadors, being asked*—

“ What were the expressions of friendship, which Tippoo Sultaun states you to have heard from his mouth ? ”

Ans.—“ I never heard *any expression of friendship from his mouth*, and consider the expression to be nothing more than *form*.”

“ (The papers Nos. 1 and 2, are shown to him.) ”

Ques.—“ It is stated that the Nabob Wallajaw dissuaded Lord Cornwallis from the war. Did you hear the Nabob say so ? ”

Ans.—“ The Nabob did address himself particularly to me, and did use those expressions.”

Ques.—“ Did you believe the Nabob sincere in those expressions ? ”

Ans.—“ I did not. There was no sincerity on either part in those expressions.”

Ques.—“ Although you do not believe any sincerity to have been intended, by the Nabob Wallajaw, in his expression of friendship towards Tippoo Sultaun—Do you give any credit to his professions of interference founded on his attachment to the religion of Mahommed ? ”

Ans.—“ The whole is compliment. How is it possible that the Nabob Wallajaw could forget the indignities sustained by his own family at the hands of Tippoo Sultaun, when Abouel Whaab Khaun was confined, and his daughter and grand-daughter taken into the Mahal ? And, if there were any *sincerity* in these expressions of friendship, why was not

* Vide page 105, and *infra*, of the first papers laid before the House.

“ the *chain* preserved, after the departure of the Princes from
“ Madras.”

Ques.—“ Is the warmth of expression in this letter (No. 4.)
“ consistent with the general forms of civility?”

Ans.—“ In the western world, people are correct in ex-
“ pressing themselves; but the people in India exaggerate
“ extravagantly their expressions of regard. I regard the
“ whole of the expressions on this letter (No. 4.) to be exag-
“ gerated.”

Ques.—“ Did the Nabob Wallajaw absolutely make use of
“ those expressions?”

Ans.—“ It was *customary* for the Vakeels to *heighten the*
“ *expressions of regard* which fell from Lord Cornwallis, or the
“ Nabob Wallajaw, or any other person, for the purpose of
“ *conciliating the mind of Tippoo Sultaun.*”

But to urge any thing further, on what is so ob-
vious, would be to affront the meanest understand-
ing.

I am now come to the consideration of No. 6,
which is stated to be the key to the cypher found
among the records of Seringapatam; and it is to be
lamented, that, with the key, the cypher itself,
which must have been in the possession of the Go-
vernment, had not also been produced; as the one
might have served to explain the other, and render
the meaning and purport of it not to be mistaken;
if the actual intent had been meant to be ex-
plained.

The party, by whom this instrument was written,
is not clearly established. The Persian Translator
says, that there is a note, at the bottom of it, by
one of Tippoo's Moonshees, which indicates that it
was written by the Nabob Omdut ul Omrah. But
he could not be supposed to be acquainted with the
Nabob's writing; and Alli Rhezza, says*, “ That

“ the original was written in pencil by *Khadir Nawas Khan*, or *some person* about the Nabob Wallajaw.” By whomsoever it may have been written, is not very material; it is produced to evince a further progress towards a secret and treacherous intercourse, between the Nabob Wallajaw and the Sultaun.

Now before such an instrument as this could be supposed to be effective, not only a good understanding should be manifested between the parties, who were to use it; but the purposes, to which it was meant to be applied, should have been mutually sanctioned and agreed on. To frame such a paper, in any other state of things, would be ridiculous in the extreme.

I have shown, that, at this interval, no one step had been taken towards a correspondence. If any other proof be wanting, it is afforded by the act of the Sultaun himself, in respect to this very paper. For, instead of taking a copy of it, and returning, as had been desired, the original to the Nabob, the Sultaun is described as putting it up sulkily into his bureau, and not complying with the very *first* request of this *strongly-cemented friendship*. Thus the overture of a clandestine intercourse is met *in limine* by the Sultaun.

Indeed, such was the exasperated state of the mind of the Sultaun, at this period, against the Nabob and his advice, as I shall have occasion almost instantly to remark, that the Ambassadors were afraid of writing what they deemed necessary on the subject; and yet, at this moment, the Indian Governments would infer, there were such an union of sentiment and design between the two Sovereigns, that they had agreed on this instrument to signify their mutual wishes and purposes.

Looking at the contents of this paper, it is difficult to perceive any thing which could imply an hostile intent, or afford the means of hostile infor-

mation. There is nothing expressive of aid, of military implements, or preparations, of troops, of arms, or even any designation of numbers: in short, there is not one material about it, which could render it an operative instrument for the purposes alleged. But then it is said to contain terms of reproach against the Allies of the English, &c. as it describes the one as "mean and despicable," and the other as "*nothing, or non-entity.*" But, does the instrument, in the very nature of the thing, pretend to express the real sentiments of the Nabob? Is it not attempted, in all private signs, to designate things under opposite and obscure allusions? It would be to ascribe little less than fatuity to the framers of the cypher, that they meant it themselves, and wished it to be understood by others, in its primitive sense, and literal signification. If any sentiment is to be deduced from the terms of the paper, it is not opprobrious, but most complimentary to the Allies. For it is to be presumed, that in such an estimation were the powers, referred to in the cypher, held by the framers of it, that they imagined the Nizam, or the Marhattas, could never have been known under the ostensible designation assigned to them.

The cypher, however, was intended, as it is argued, for private communication, and all communication, unless made known to the British Government, must have been in violation of the Nabob's treaties: and this proposition, with some modifications, is true. The Nabob could not hold a correspondence with Tippoo Sultaun, or any other Eastern Power, *for state purposes*, or for entering into a close political connection, without advising his Allies of his intentions and designs; but I conceive it to be equally arguable, that he could maintain, without a breach of his engagement, a correspondence with a friendly Power, as Tippoo at this time was, for domestic purposes and views: and in whatever way he might think proper to conduct it.

Of the fitness of this cypher to carry on an inoffensive correspondence of this latter nature, or of any other kind, I do not mean to decide. At this late season, it might not have been very easy, perchance, to have dived into the meaning of the parties, in framing such a device. But, we are freed from the pains and hazard of conjecture, by the information afforded by the Eastern Governments themselves, not only of the probable, but of the *actual* use *, to which this instrument was applied. For the terms of it, say they, have been resorted to in the subsequent correspondence with the Court of Tippoo, and between the latter Court and the Nabob. I will give them credit for drawing from the Escritoire of Tippoo every available document to detect the perfidy of their hollow Ally ! And I will satisfy you, Sir, that neither in one, nor all of the documents put together, which the Eastern Governments have thought proper to select from the papers discovered at Seringapatam, is there any one saying, or allusion, that can be tortured into the appearance of an adverse meaning.

If you will observe the course of reasoning into which the Persian Translator, and, after him, the Governor General, falls in commenting on the paper (No. 7), which I shall next consider, you will have an additional instance of the fallibility of their respective judgments.

This is a letter from one of the Ambassadors to Tippoo Sultaun, announcing the departure of his colleague, agreeably to the order of his Master; and he tells the Sultaun, that he is charged with a purpose of bringing to a favorable issue the propositions of Lord Cornwallis and the *well-wisher of mankind*. And he adds—

* See page 8, of the Persian Interpreter's Report, in the papers of 1803.

“ There are *many points* that cannot be committed *to paper*,
 “ and can only be communicated in person.”—And continues,
 “ The particulars of this summary, which is an *unlooked-for*
 “ *good*, will be made known by the *verbal* representations of
 “ Alli Rhezza.” And lastly, “ When your Majesty shall
 “ have deliberated, and fully brought home to your mind, the
 “ representation of *both the Sirdars*, from a consideration of
 “ the changeableness of the times, your Majesty’s agreeing to
 “ this affair, on the principle of the words of Hafiz’ (which
 are quoted), “ seems highly expedient and advantageous to
 “ your Majesty’s interests.”

The first report of the Translator, after setting forth several reasons for doubt arising out of the expressions of this letter, and which he states to be confirmed by the copies of two letters from the Sul-taun to the Nabob and his son (which will be subsequently referred to), concludes—

“ That there can be but *little doubt*, that by ‘ *both the Sirdars*’ were meant *Wallajah and Omdut ul Omrah*, that ‘ *the unlooked for good*’ was some *proposition* on *their* part, *favour-able* to Tippoos’ *views and interests*; and probably of no *slight importance*, as Alli Rhezza is stated to have attended the presence, *especially* for that purpose. And the affair, which Golaum Alli Khaun so earnestly recommends to Tippoos’ adoption, was the proposition, with which Alli Rhezza appears to be charged.”

Let us briefly examine how well founded this further deduction is, by adverting to the examination of Alli Rhezza, and the questions put to him by the Examiners and his answers.

* (The Paper, No. 7, is produced).

Ques.—“ What are the *points* which could not be committed to *paper*, and could only be communicated in *person*?”

* Vide page 102, of the papers of 1801.

Ans.—“ To recapitulate, according to Lord Cornwallis’s directions, the course of hostile transactions, which had taken place from early times between the two states; to insist on the detention of the prisoners by Tippoo Sultaun, and his cruelty towards them; to inculcate the necessity of a reform in his sentiments towards the British nation; and to lay the foundation of permanent friendship to be further confirmed in Europe. These propositions of Lord Cornwallis were confirmed by the advice of the Nabob Wallajaw, founded on his long experience and age.”

Ques.—“ What Sirdars are meant in the passage,—‘ at this time the friendship and good-will of both Sirdars is from God and the Royal Auspices.’ ”

Ans.—“ Lord Cornwallis and the Nabob Wallajaw.”

Ques.—“ Why could not these points be committed to writing at Madras, since they were committed to writing after your arrival at Seringapatam ? ”

Ans.—“ The time for paying the Kists were past, and the prisoners were still detained: it was with the intention therefore of using my personal influence with the Sultaun in these points, since all writing had proved vain.”

This passage, from the examination, does not only overturn the insinuation of the Persian Translator, but tends, in an irresistible manner, to demonstrate the minds and actings of the parties at the interval. It clearly establishes that the Nabob’s propositions always accompanied, nay indeed were identified with those of the English; and that the sentiments of the Sultaun, and his behaviour, were not only dissonant, but directly opposite to any amicable overture, or project; that all the writing of his Ambassador had been vain; and that the last means of enforcing a show, even, of friendly attention, had been resorted to, which eventually did not succeed.

The Persian Translator here again, as in former

instances, is reduced to his recantation; which follows—

“ The ambiguous terms of the paper (No. 7), afforded great
 “ reason to believe, that when Alli Rhezza Khaun returned to
 “ Seringapatam, he was charged with some specific negotia-
 “ tion between the Nabob and Tippoo Sultaun. By a paper,
 “ however, which was discovered after the date of the report
 “ of the Persian Translator, it appeared, that he had repaired
 “ thither at the *instance of Marquis Cornwallis*; and that the
 “ contents of the paper (No. 7), referred to what he had to
 “ communicate on the part of *his Lordship* and the Nabob
 “ *jointly*: this is fully confirmed by Alli Rhezza’s evidence;
 “ and therefore the *inference* deduced in the report from the
 “ document above-mentioned must be considered as *erro-*
 “ *neous.*”

Having pointed out how the pretended inferences, at first relied on by the Indian Governments as proofs of *Holy Writ*, melt away one by one, when they come to be seriously considered, I shall go to the next link of documentary evidence, which are the papers Nos. 8 and 9.

These are copies or translations of letters written in the month of November 1792, from the Sultaun to the Nabobs Wallajaw and Omdut ul Omrah. In these, as in the Nabob’s conversations, are discernible many general and loose declarations of friendship; but not one expression of a direct object, either in resolve or meditation.

The Reporter upon these papers, in his first jealousy, had conceived that there was something decidedly demonstrative in them of a clandestine purport; and that they went to disclose a concert between the Nabob and the Sultaun, in an unauthorized matter. I shall only take a passage or two from these ceremonious greetings: the same

which the Reporter has selected and commented on.

In the letter to the Nabob Wallajaw, Tippoo Sultaun writes :

“ My hopes from Almighty God, and my confidence in the Prophet is, that, according to the command of God and the Prophet, which is well known to all Mussulmen, all the faithful will exert themselves with heart and soul in maintaining and rendering permanent the religion of Mahommed. Upon your Highness, who is one of the heads of the faith, this is an absolute duty ; and I am confident, that your Highness will, by all means, constantly employ your time in performing what is obligatory on you.”

And in his letter to Omdut ul Omrah—

“ I am confident that you will direct your attention to the adjustment of affairs between me and the *well-wisher of Man-kind*, who is the chief and principal of the professors of Islamism.”

From these the Reporter (the Persian Translator) argues :

“ These documents are of *particular importance*, not only as they tend to establish the existence of a *reciprocity of views*, between the Nabob and Tippoo Sultaun, but as carrying, upon the face of them, *almost positive proof* of a *secret intercourse* between those Princes ; and also as they throw considerable light upon *another document*, which is otherwise very mysterious and obscure.”

The other document, mentioned in the preceding sentence, is the letter, No. 7, last considered ; and I have shown how mysterious and obscure *that* document was, on the after-allowance of the Commentator for himself. As these papers were meant to be

considered as elucidative one of the other, having demonstrated not only the harmless tendency of the one, but its meritorious objects, I have entitled the other, as of course, to a like consideration and character.

What then is the *reciprocity of views* of the two Princes at this date? the observance of an outward demeanour, of an amicable construction towards each other, which the Ambassador Alli Rhezza went to Seringapatam, at the desire of Lord Cornwallis and the Nabob, for the purpose of cultivating.

And thus, this almost *positive proof* of a *secret intercourse* slips, like many preceding ones, from the hand that eagerly grasped it.

The correspondence which I have had occasion to notice is the only epistolary communication, which took place between the two Courts, for the first seven months after the arrival of the Ambassadors at Madras. The next, which I shall observe on, relates to circumstances subsequent to the 14th of January 1794; which is No. 10 of the exhibits annexed to the declaration: and as this, as well as No. 12, contains fresh matter of suspicion, and affords a new subject of declamation, I shall take a view of them together; because what I have to say on the one will be applicable also to the other. [The intermediate No. 11, giving a short account of an exhibition of fireworks, by the command of the Nabob, for the amusement of the hostage Princes, seems of too trifling a nature to take into the series of investigated papers.]

The documents in question are letters from the Ambassadors to Tippoo Sultaun, between the dates of the 14th of January and the 5th of June, 1793, stating the substance of the alleged *verbal* communications made to them by Khadir Newaz Khaun, a Messenger of the Nabob Wallajaw. The purport, nay, the very words of the first communication, as stated by the Vakeels, are these:

“ I have always kept stationed at Bengal several persons of
 “ the higher class, for the purpose of collecting and transmit-
 “ ting secret intelligence daily. In the paper of intelligence,
 “ which came on a date answering to the 10th of December 1792,
 “ it is stated, that Sir C. Mallèt, the English resident at Poonah,
 “ has written to Lord Cornwallis, that numerous messengers
 “ from the Khoodadad Sircar daily pass to and fro’ between
 “ Seringapatam and Poonah ; whence it would seem, that Tip-
 “ poo Sultaun was endeavouring to form a closé connection
 “ and affiance with the Poonah Government, and through that
 “ Government with the Mogul Nizam Alli Khaun, and that
 “ deeming this information of importance, he had written it to
 “ his Lordship. The Members of Council in Bengal, on hear-
 “ ing this, are said to have stated their opinion to his Lordship,
 “ that Tippoo Sultaun was infringing the settlement, which had
 “ taken place between him and his Lordship, and was entertain-
 “ ing views of a similar nature ; that, for example, the Sultaun
 “ withheld payment of the Kists as prescribed in the treaty, and
 “ refused to release the European and other prisoners, subjects
 “ of the Company ; that this sort of discourse had excited some
 “ degree of suspicion, nay even of alarm, in his Lordship’s mind.
 “ Such is the present state of affairs—What, in the judgment
 “ of this well-wisher, now appears expedient, is this : in a short
 “ time his Lordship will go to Europe ; the Princes, please
 “ God, will soon return ; and the Kists are in a course of pay-
 “ ment. After his Lordship’s departure, the liquidation of the
 “ Kists and other points, whatever may be his Highness’s, Tip-
 “ poo’s, pleasure, will be right and proper : at present it is bet-
 “ ter to be silent upon every thing ; because, at this time, his
 “ Highness’s honor would, at all events, be called in question.
 “ When another shall arrive from Europe, the imputation will
 “ in every respect and measure fall on him.”

The second communication from the same party
 is said to be in these terms :

“ At this time a complete rupture has taken place between
 the English and French. The story of the King of the French,

“ and their domestic commotions, are well known. Six or seven
 “ European Powers have united for the destruction of the
 “ French, and you will soon hear, that the whole of the French
 “ territory has been divided amongst others. The English
 “ troops, at Madras, will proceed in a day or two against Pon-
 “ dicherry. Although there is a body of troops in that place,
 “ yet domestic dissensions have arisen to the utmost pitch
 “ there, and nothing will be done ; and the place will at length
 “ be taken. My object in mentioning this event is this. The
 “ Vakeel of the Ahmedy Sircar, who was at Pondicherry, has
 “ lately, it seems, returned to the presence (Tippoo Sultaun’s).
 “ Please God, there is no doubt, that the Sultaun keeps in
 “ view all the ups and downs of the time. At this time no
 “ kind of assistance will be afforded ; but out of that friendship
 “ which I feel for the Sultaun, I recommend that the Vakeel
 “ remain a short time at the presence, and also that epistolary
 “ correspondence be discontinued for a short time. Although
 “ a friendly connection has long subsisted with the French on
 “ the part of the Ahmedy Sircar, yet, considering the circum-
 “ stance and the times, it is not advisable ; should there be
 “ any point of urgency to communicate, there is no objection
 “ to do it verbally. For God’s sake let not the Sultaun ascribe
 “ what I say to a wrong motive ; I am actuated solely by my
 “ good wishes in making this communication. Since the day
 “ that a cordial union took place between us, let me be no lon-
 “ ger a Mussulman, nor a Servant of God, if I have not always
 “ offered my prayers for the Sultaun’s good, and afterwards
 “ for my own. May the Almighty preserve firm and unin-
 “ jured the Mahommedan Church, and the safety of the Sul-
 “ taun.”

The Persian Translator, having made many la-
 bored observations on these communications, which
 were afterwards avowed in the declaration of Govern-
 ment, comes to this ultimate conclusion—

“ Considering this transaction in the most *favorable* point of
 “ view, it is still a confirmation of the close connection sup-

✓ posed to have been previously established between his Highness and Tippoo Sultaun, and a direct breach of the 10th Article of the Treaty of 1792, between his Highness and the Company." And afterwards more direct, "That the Nabob Wallajaw, by certain *overt acts*," (meaning the communications in question,) "founded upon his recent connection with Tippoo Sultaun, manifested a participation of views and designs with that Prince, *hostile to the British Interests in India.*"

Now let us endeavour to ascertain how fairly this further conclusion is raised on its alleged premises?

✓ I shall barely mention here, that these communications are liable to every doubt, which I have stated against former papers, and to several additional suspicions. They are to be taken on the account of the Ambassadors, which they, themselves, have stated not to be correct. They are founded on the sentiments of another, *delivered by a third party*, who, like the Ambassadors, might have given them a latitude not authorized. And those sentiments, when delivered by the Ambassadors, are dressed in an English garb by the Persian Translator, the Reporter and *Commentator* on their import.

✓ But taking these communications, as they stand, and as unquestionable in their nature—What do they speak? Is there any thing in the whole like a breach of moral obligation, or of political compact? Is there any thing of an injurious tendency to the British interests, or power? It will be remembered, that at the time when these communications were made, the British Government and the Sultaun were on terms of amity and friendship: so that there was nothing arising out of the condition of the parties, which should render the imparting of the intelligence between them, an act of hostility: if such intelligence had not a tendency to injure the interests of the Company with an aspect either to Tippoo Sultaun, or to the Nabob of the Carnatic.

But, says the Reporter, it was a *clandestine* correspondence, and contrary to the letter of the treaty of 1792, which states, that the Nabob shall not enter into any negotiation, or political correspondence, with an European or Native Power, without the consent of the Company. Now by what sort of construction, can the matter communicated be supposed to be conducive to a *negociation*, or a correspondence *leading* to one, which is in the contemplation of the Treaty? It is plain, that the negociation meant and adverted to in the Treaty, and the correspondence as subservient to it, was a negociation for some *new relation* or *alliance*, which the Nabob might afterwards be desirous of forming with some foreign Court. It could never, in common sense, be understood, that any loose message or conversation with the Ambassadors of a then *friendly power* with *himself* and the *Company*, should be construed into a violation either of the spirit or letter of the engagement.

If the actual letter of the Treaty be not broken by the communication in question; yet, the advice it inculcated is, as the Reporter argues, irrefragably demonstrative of the hostile spirit of the Nabob, against the Company's interest in India. Now nothing, in my idea, can be more clear, than the Nabob's motive throughout, both in the extent of the information given, and in the end to which it was offered. Nothing, I am persuaded, could be more pure than the intention, and the effect. The scope of the Nabob's endeavour is to keep the Sultaun in a state of peace with the British Court, and its Allies. This is every where observable, and his motive will be as patent as his act, if you will advert, but for an instant, to his situation.

In the event of a war, by the stipulations of the treaty of 1792, the Nabob would have been stripped of all control, civil and military, in his dominions; and the whole of the Carnatic, as in the late war,

would have reverted to the hands of the Company. His countries, at the conclusion of the peace, had again been delivered over to him, and it cannot be considered as very wonderful, that he should be anxious for retaining them. This could in no other way be achieved, but by conciliating the Powers, which were likely to fall into hostilities with the British, or their Allies. The attempt therefore to lead the Sultaun from all acts, which should endanger the tranquillity of the times, is not only natural, but praise-worthy.

Now, what is the intelligence, which the Nabob is said to have given, and the advice as conformable to it? The whole tenor of the intelligence is—

“ That the Sultaun had been supposed, by the Supreme Government of Bengal, to have held too frequent a communication with the Court of the Peishwa; and from the repeated messengers who were passing between Seringapatam and Poonah, it was imagined, that the Sultaun was endeavouring to form a close connection and alliance with the latter Government; that from this circumstance, and from Tippoo’s failure in the regular payment of the Kists, and from his detention of the English prisoners, Lord Cornwallis was inclined to think, that the Sultaun was intent on infringing the settlement, which he had recently made with his Lordship.”

What is there in the complection of this intelligence, that should give the least offence to the British Government? What is there in it, that had not in effect been urged to the Sultaun himself, at the *instance of Lord Cornwallis*? Did not his Lordship and the Nabob *jointly*, as we have before explained, require that Alli Rhezza should recapitulate to Tippoo Sultaun the course of hostile transactions between him and the Confederate States? That he should carry a remonstrance to him, on his detention of the English pri-

soners ; and that he should insist on the necessity of a reform in his sentiments? Is the Gist of the Nabob's intelligence, in any way, distinct from this? It is a mere repetition of this well-meant communication, and offered with the same intent. It tells the Sultaun, that his actions, which are enumerated, had given offence to the principal of the Allies; that, if he thought they were concealed, he was indulging a wrong speculation; and that, if he persisted in the course of them, a rupture must inevitably be the consequence. Is the Nabob's advice in contradiction to the motive, as explained, which furnished the substance of the intelligence? Is it not of a most pacific, amicable tendency? Is it not, if complied with, of a nature most directly conducive to the maintenance of peace between the three Powers. He recommends, in the supposed communication, *not* that the Sultaun should break his engagements, but, " that he should go on in the payment of his Kists;" and, when they had been fulfilled, and he had, in consequence, received back his Sons (the hostage Princes), that *then*, if he were so inclined, he might think of measures, which it was suspected, at the time, that he had in intention; that to infringe the settlement just made with Lord Cornwallis, and while he was in the country, would be in his (the Nabob's judgment) in the highest degree dishonourable, and disreputable to his character in the estimation of the Eastern Courts.

What is the indisputable effect of this advice? That, after payment of the Kists and the receipt of his Sons, the objects which instantly exasperated the Sultaun's mind, and rendered it hostile to the British, would be removed; that he would have no ground, nor interest in going to war.

The last question is, what prejudice could this advice, if it were accepted and acted on, effect to the Company? Let us see the severe injury which would befall them, if Tippoo, unfortunately, should

be induced to listen to the *wicked* council of the Nabob? Their Treasury would be enriched from the circumstance, with almost half the specie of Tippoo's country—as the Kists were stipulated in so much hard money—and in proportion as the payment should appear to impoverish the Sultaun's resources, it would, in the same degree, have the effect of enriching and extending those of his most powerful rival. So that, in each aspect of the supposed effect of the advice, it would have a beneficial operation to the Company. Besides removing the objects of contention, it would super-induce the loss of means; and, with it, the consequent power of meditated hostility. The thing is too palpable to be further insisted on; so I shall pass to the consideration of the tendency, of the second communication.

What is the hostile bent of the intelligence imparted here?

“ That hostilities were about to commence between the
 “ English and the French; that six or seven European
 “ Nations were about to make common head against the
 “ latter; and that the probable result would be the dismem-
 “ berment of France; that the English, in a day or two,
 “ were about to march against Pondicherry; and that the
 “ place would undoubtedly be taken.” And advice is there-
 upon given: “ That Tippoo should use every possible pre-
 “ caution, in any communication which he might hold with
 “ the French Government in India, which might involve him
 “ in a quarrel with the English.”

At this period, as at the former, the Sultaun was in friendship with the English, and their allies; and, it is plain, the Nabob wished that such a relation should be maintained, from the tenor of what he has recommended. In giving this intelligence, he is not charged with any direct breach of confidence re-

posed in him; so that he must be taken to have communicated what he did, on the credit of general report. And, in truth, he could be relating no very great news to the Ambassadors; as the Court of Tippoo, at this season, kept up, as theretofore, an open correspondence with the French at Pondicherry.

But the matter of the advice, coupled with the intelligence given at the time, is stated to have been of an offensive character. And how? Does the Nabob represent to the Sultaun, that the season was advantageous for leaguings with the enemies of Britain? Does he flatter the cause, or dissemble the state of the Power, which was about to commence hostilities? Does he persuade the Sultaun, to enter into a compact with the enemy? On the contrary, does not he make use of every argument, to detach the Sultaun from such a connection? Does not he show the despair of any fruit from it? and does he not in every word recommend, that the Sultaun should so conduct himself, as to give no umbrage to the English?

To object to the Nabob, on this account, is to object to the situation of things, which it would seem the aim and interest of the British at *that* time to have produced. Was it the desire of the Eastern Governments, that the Nabob should preach hostilities and war? If so, the Nabob's advice must not only have been inopportune, but prejudicial.—Whilst, however, it shall be thought improvident to stir up a second power against you, whom you might *expect* to be your enemy, until you shall have subdued the first, *actually* in arms; I cannot but consider the tendency of the Nabob's advice, as most friendly and most politic.

But what need I say more in favor of it, than by stating, that although the Governments of India thought proper to reprobate the measure afterwards,

they adopted and sanctioned it, by their own conduct, at the time. For Alli Rhezza distinctly says *—

“ That at the time of the equipment against Pondicherry, Sir Charles Oakely acquainted the Vakeels, in a *private manner*, that Pondicherry would certainly fall into the hands of the English ; and if Tippoo should offer the French assistance, it would be certainly attended with injurious consequences to him.”

✓ This is not the only instance, as I have shown, where the Eastern Governments have reproached the acts of the Nabob, when they have been prompted by their councils, or sanctioned by their conduct. The mind is tired in pursuing at any length such detailed deceptions; such childish complainings.

To proceed to the 13th and 14th numbers of the papers, which appear to be two letters, from the Ambassadors to their master, written on the 23d of July 1793, and a subsequent day ; and which are filled with materials of a like description with the last. These give an account of two private meetings between the Nabob Omdut ul Omrah, and the Vakeels of Tippoo ; the one at the suggestion of Khadir Newaz Khaun, on the behalf of his Highness, and the other at the instance of the Vakeels.

At the first meeting, his Highness, Omdut ul Omrah, leads the Ambassadors into the interior of a Mosque, under the pretence of a religious ceremony ; and there he is said to have asked the Vakeels—

“ Whether they had *full power* from the Suldaun, or were under the necessity of making reference to their Court.” When they are stated to reply, “ That they had been a *year*

* Page 108, of the Examination, in the papers of 1802.

“ or more in attendance there, during which period many points
 “ of business had been negotiated, and continued to be nego-
 “ ciated by them, that the question appeared extraordinary.”

Extraordinary indeed, it must appear to the most common understanding, when connected with the appearance of facts, and the necessary conclusions from them, which the Governments of India have been industrious and anxious to make out ! They, it is well known, have exhausted all their rhetoric to persuade the world, that, for a year antecedent, a private connection had been founded between the Nabob and the Sultaun, through the instrumentality of the Vakeels, and had been cemented by numerous subsequent professions and acts : and now, at more than twelve months from the time, when the compact is supposed to have been sealed and consummated, we find one of the subscribing parties to it is asking the other for the production of his *credentials* ! And when the latter has taken pains to convince the Inquirer, that he has the requisite authority ; that the whole terminates in a few general expressions of regard and friendship ; and without one overture of a specific nature or tendency ! If reference be had to the account of the first meeting, as it is related in the letter of the 23d of July, it will be seen, that it contains not any one sentiment, but what had been again and again uttered, and alternated by the Nabob Mahommed Ally, at the former interviews with the Vakeels.

Now for the second private meeting, which is the subject of the communication in the paper No. 14, that had been solicited by the Ambassadors, on the eve of their departure from Madras. And what is stated to have passed at it, more than the interchange (a very current coin, but of no great value) of mutual protestations of regard ? But it is added, that the Nabob, Omdut ul Omrah, “ had then made

use of some *particular expressions* of his *attachment*; requiring the Vakeels, upon oath, not to commit them to writing, but to defer the communication of them, until their return to the Sultaun."

The Persian Translator, in rendering the passage into English, has followed the custom of the Vakeels, and given a glow and colouring to the expressions, which intrinsically they will not bear. For in his translation, he has made the Nabob require the *oath* of the Vakeels, to the secrecy of his communication, whereas Alli Rhezza, in his examination*, has expressly said, that in this passage the Nabob had merely *conjured* them, not on oath, but by personal solicitation, to keep his council. But to what did all this coquetry and solemn foolery tend? They who are acquainted with the means and arts of Eastern diplomacy, will not be at a loss to assign an answer. The result, the only result of them, was a manifestation of a general friendly disposition on the part of Omdut ul Omrah, served up with sauce so *piquant* by the proper cooks, as to be extremely gratifying to the sense of the Sultaun, their master. And in his next letter, which is No. 15, of the written documents; the Sultaun, pleased with the promise of these conferences, a few frothy overflowings of the *grace-cap*, evinces his anxiety to be informed of every attendant particular.

Here is another proof (if it were wanted) in the anxiety of the Sultaun to be advised of different expressions of regard from the Nabob Omdut ul Omrah, that no pre-existing engagement had taken place for mutual convenience; for if such had been concerted, within the twelve months of the Vakeel's previous residence, what reason is there now on the 6th of August, 1793, for the Sultaun's catching at a stray and accidental compliment? But the innocence

* Page 97 of the first Papers.

of the conference, which I have just noticed, is so well and so fully established by the testimony of Alli Rhezza, in the course of his examination, that it would seem unnecessary to add another observation on it.

I am led, in the pursuance of my arrangement, to the consideration of the document, No. 16, which purports to be a translation of a letter from the Vakeels to the Sultaun, under date 31st of August 1793. Before I go into any examination of the contents of this paper, I shall beg leave to offer one preliminary observation. It is evident, from the last letter of the Sultaun, that he was solicitous to be informed of the particulars of the conversations, which took place at the alleged preceding meetings; but of so little consequence, it appears, did the Ambassadors regard the import of them, that in their next letter, nor in any other subsequent one, do they take the least notice, or make the most distant allusion to it.

The document, No. 16, gives an account of some transactions which took place at a Mosque in Triplicane, near the residence of the Nabob; and much is inferred from these transactions against the fidelity of his Highness; and of his co-operation with the Sultaun from notions of a common religion. The transactions alluded to are the promulgation and discussion in the Mosque of certain doctrinal points of the Mahommedan faith, which would seem to recommend a never-ceasing warfare against the professors of all religion, but that of Islamism, and the enjoining and administering an oath, in the face of the congregation, of fidelity to the faith, and the cause of the Sultaun.

In these acts the Persian Translator, and the Indian Governments proceeding on his credit, would make the Nabob, or, at least, his son, Omdut ul Omrah, a party. The Translator broadly states, in

one place*, the *fact* of the *presence* of Omdut ul Omrah at the ceremony, and takes occasion to deal out a few invectives against him on that account. But in a posterior report, he is obliged to gainsay all that he had said, and he does the Nabob Wallajaw, or Mahommed Ally, another slow and unwilling act of justice, in supposing that he might have been wholly unacquainted with the progress of the affair.

Without showing the privacy of the Nabob Mahommed Ally in the acts of the Ambassadors, the Indian Governments well knew, that they could prove nothing from the transaction, as prejudicial to the character of the Nabob; and they have endeavoured, by the close examination of the Ambassador, who promoted and urged the points of doctrine and administered the oath, to explain all particulars relating to the circumstance, either in reference to the Nabob, or his people; and he has unequivocally said, in the most clear and satisfactory manner, that his discourse was principally directed to the *suite* and followers of the embassy, and the oath *strictly* confined to *them*. He admits, that the act was not defensible in an Ambassador residing at a friendly court; but he excuses himself by saying, that he was enjoined it by his master, whose will was to him a law.

Though the act, which is here complained of, does not serve to evidence any criminal purpose in the Nabob Mahommed Ally, which it was offered with the view of demonstrating, it has a most direct tendency to establish the *contrary* position—the non-existence at the date (the end of August 1793) of any league between the Nabob and the Sultaun, which had been promoted, as it is said, by religious views; and which had been argued again and again by the

* See p. 10, of the 1st vol. of papers of 1803, and *infra*, p. 48 of the same volume.

Eastern Governments, as having been concluded for more than fourteen months antecedently. If such a league had been formed between the *Sovereigns*, it would have been the height of absurdity to suppose that it would be necessary for the Ambassador of Tippoo to attempt, as he is stated to have attempted, to prevail either on the consciences, or the minds, of the subjects of the Nabob, by the publication of the doctrine in question. And here is another instance, that in aiming to prove too much, the Indian Governments have not only proved nothing, but have demonstrated *that* which defeats every *possible inference*, that they were apparently so anxious to draw.

The next Paper which presents itself is the document No. 17, and this is a letter said to have been written, in pencil, by the Nabob in August 1794, and subscribed with the assumed signature of Gholaum Hussein. It is addressed to Gholaum Alli Khan, one of the Ambassadors, after his return to Seringapatam. This is a short letter, with congratulations on the marriage of some of the Princes of Mysore; and announcing an intention, on the part of the Nabob Wallajaw, to send the customary presents on the occasion; with a general compliment to the Sultaun, which Gholaum Alli Khan is requested to take a seasonable opportunity of delivering. I shall add a word more to this, when I am adverting hereafter to a further letter written to the same person, and under the same assumed designation.

Of the Nos. 18 and 19, which are translations of two several letters from Mahommed Ghyauss and Mahommed Ghose Khan, on the 7th of December 1795, and of an ulterior date, I shall have occasion only to take a slight notice; as the effect attempted to be operated by the production of this correspondence, is avowedly defeated and given up by those who were commissioned to urge it; namely,

by the Persian Translator and the Examiners at Vellore.

These letters were intended as proofs of a continued adverse intercourse between the Nabob Omdut ul Omrah and the Sultaun, after the decease of the Nabob Mahommed Ally; and consequently, after the succession of the Nabob Omdut ul Omrah to the Musnud of the Carnatic. They contain accounts of the progress of the Embassy sent to Madras, for the purpose of condolence with the Nabob on the death of his father, and of the treatment and reception of the Ambassadors who are writing the account.

From these writings, and the constructions which are alleged to arise out of the face of them, the continuance of a supposed secret hostile understanding between the two Courts, as all along inferred by the Eastern Governments, is meant to be argued; and therefore, these papers were, at first, placed in the series of documents annexed to the declaration. Why they continue to hold a place there, I shall leave for others to conclude. That all unfair deduction from them has long been given up, we have only to refer to the report of the Examiners, Mr. Webbe and Col. Close*, which says—

“ We have been unable to examine Mahommed Ghyauss
 “ and Mahommed Ghose Khan, according to your Lordship’s
 “ instructions, the former having returned to Cuddapah, and the
 “ residence of the latter being unknown. We are satisfied, how-
 “ ever, from the concurrent testimony of Gholan Ally, Meer Sud-
 “ door, the Dewan Purniah, and Hubbut Allah, that the Embassy
 “ entrusted to them was merely a *matter of form* on the death
 “ of the Nabob Wallajaw; and this information is supported

* Vide p. 39, of the 2d vol. of papers of 1803.

“ by the *Character* of those persons, who are not likely to have
 “ been entrusted with a *secret negotiation*.”

Here again we have to remark (and where have we not an opportunity of doing it, when we are investigating these transactions?) that a base construction is put on a simple and innocent instrument, incapable, on examination, of any such meaning; and that the construction is sustained by the Eastern Governments until shame and decency will not longer permit it to be countenanced.

To proceed to No. 20, a supposed letter of the Nabob Omdut ul Omrah to Gholaum Alli Khan, under date the 8th of January, 1797. This, like the letter No. 17, abounds in general compliments, and refers to the Vakeels last noticed, to make known to Gholaum Ally the friendly intentions of the Nabob.

A great stress is laid on this letter, and the one immediately referred to from the circumstance of its being written by the Nabob under the signature of *Gholaum Hussein*; and, it must be confessed (if there were any thing else either in the matter, or drift of the writing, which could countenance the supposition), that the circumstance of the assumption of a secret signature, would lend a considerable weight to the suspicion. But to judge from appearances, as applicable to the state of Western Society, from the manners of the Eastern Courts, which are governed by local reasons, and are to be explained by local customs, would be to form a judgment liable to error; and conducive to frequent, and, as I have shown at every instant, to the most flagrant injustice.

After commenting on these writings, and on the paper No. 21, which is of the same description, and open to every observation, I have offered and am about to offer, and dwelling on the surmises which the adoption of a strange signature by the Na-

bob, had given rise to, the Persian Translator observes *—

“ Three circumstances are stated in the evidence of Ally
 “ Rezza Khan and Gholaum Ally Khan, which seem to ex-
 “ plain the occasion of the letters which passed between the
 “ Nabob Omdut ul Omrah, Ally Rhezza Khan, and Kawder
 “ Newaz Khan, Nos. 20 and 21, at the period of the Mis-
 “ sion of Mahommed Ghyas and Mahommed Ghausa Khan,
 “ and tend to discredit the facts inferred from them in the re-
 “ port. One is, that the Vakeels were disgraced by Tippoo
 “ Sultaun, soon after their return to Seringapatam, and were
 “ in disgrace at the time that Mahommed Ghyas and
 “ Mahommed Ghaus Khan were deputed to Madras. Another,
 “ that Tippoo Sultaun had possession of Gholaum Ally Khan’s
 “ seal, and occasionally made use of it. The cause of their
 “ disgrace is said to be, though it is not stated by Gholaum
 “ Ally Khan nor Ally Rhezza Khan, a suspicion on the part
 “ of Tippoo Sultaun, that they were attached to the British
 “ interests. A third is, that Mahommed Ghyas and Mahom-
 “ med Ghausa Khan were instructed to say, in the event of
 “ Omdut ul Omrah making any inquiry for Ally Rhezza
 “ Khan and Gholaum Ally Khan, that they attended the Dur-
 “ bar as usual.”

So that at the period when the Nabob was at first
 imagined to have been carrying on directly in his
 own hand, and by the pen of his confidential servant,
 and through the medium of Gholaum Ally Khan, a
 correspondence with the Sultaun, the immediate
 mean of communication, so far from being in favour,
 was in *utter disgrace* with Tippoo: certainly not a
 very *likely hand* to be employed in conducting a *se-*
cret negotiation!

Scarcely any other thing could be devised or

* Vide p. 48, of the 1st vol. of papers of 1803.

fancied, which could show, in a more forcible light, the exact state of communication between the parties. Here were two men, who had been supposed to have negotiated an intercourse of a very important nature between Tippoo and the Nabob, and had been made the ostensible channel of all their communications; had remained, without the knowledge of the Nabob, in disgrace with the Sultaun for a space of more than four years; and had been forbidden his presence for a supposed attachment to the British interest: so, it is impossible to imagine, that any communication, in that long interval, could have taken place in the observation of the terms of a secret agreement, as insisted on by the Eastern Governments. And Mahommed Ghyas and Mahommed Ghause Khan, the latter Ambassadors, are desired to inform the Nabob in 1797, that their predecessors attended the Durbar as usual. Such was the knowledge of the Nabob of what was doing at the Court of the Sultaun, his warm and devoted friend.

But these circumstances not only explain, that there had been no intercourse kept up between the Courts; but that none in point of fact had *ever* existed. If any had been formed, it had been set on foot by Gholaum Ally and Ally Rhezza Khan; and it would have been the clear and plain policy of the Sultaun to have sent them to Madras, to strengthen and renew the engagement, if any had been meditated; more especially as they seemed to stand so high in the estimation of the Nabob, as to be admitted to his correspondence.

I have thus endeavoured to make out, that there was nothing in the papers annexed to the declaration, taken either separately or conjointly, which evidenced, even an intention, much less an act of the Nabob to deviate from the letter or spirit of his engagement with the East India Company. And, notwithstanding the assertions of the Indian Governments to the contrary, I cannot be brought to be-

lieve, that they themselves ever fancied that these papers afforded them a serious or plausible ground for the conclusions, which they afterwards deduced and founded on them.

If the papers afforded them a reasonable ground, and an excuse for the political measure they were about to carry into effect, there would have been no need of all the pains, which were taken in subsequent proceedings; instituted with a view, and with no inconsiderable care, to extract an hostile purpose out of the heart of the papers. There would have been no need to have called for the testimony of Alli Rhezza and Gholaum Alli Khan; nor for the Supreme Government to have taken the trouble to frame, as it appears they have done, a long string of interrogatories to be exhibited to the living witnesses. There would have been no need to have dispatched the Chief Secretary of the Madras Government to a distant station; or to call the Resident from a foreign Court, for the purpose of conducting the examination: and which, after all, by the admission of the Examiners, turned out a bootless errand.

But these extraordinary efforts did not complete the pious work. The whole papers, as well as the depositions, were to be submitted to an official inquisitor, to be racked and tortured in order to wring out a discovery. The execution of the design was not put, it should seem, into very bad hands; for the work has been perfected with strict attention, and delayed not by any show of tenderness. If the Inquisitor has at times been forced, as I have shown, to hear and feel the cry of truth, in searching with his pincers for the supposed latent purpose; he has still gone on with his work with the apathy suitable to his office; and has not despaired, though often defeated, to arrive at the wished-for end.

If the nature of the writings, in the series which I have noticed, be taken into your consideration, and the oral testimony, which has been called for in ex-

planation of them, it would seem almost an interposition of Providence, that the design of the Eastern Governments has been completely foiled.

It is not difficult to imagine, that, from the lax and imperfect relations of the Ambassadors, of events and circumstances, which occurred during their Embassy, aided by subsequent explanations, adapted to the posterior interests and conditions of the writers of them, much pretended intercourse, for private purposes, might have been argued and made out. The Indian Governments saw this distinctly, and the expectation of a favourable result (the direct opposite of which has happened in the examination of the Ambassadors) might by them have been reasonably-looked for.

The examination was to be held in the secrecy of the dungeon; and every practicable means observed to elude the public notice. The witnesses to be examined, it will be recollected, could have no communion, nor very strong predilection for the Nabob, as the success of his arms, in conjunction with those of the Company, had wrested the territories of their Sovereign from his hands, and had placed their own persons in the custody of the Company; that, by the affected clemency and bounty of the latter, they were spared and maintained. At the very time at which they were examined they were the prisoners and pensioners of the Company. And you will observe, if you will look at the examination, that the Examiners spared no pains to advise the Ambassadors, as they were instructed, either of their dependent situation, or their future expectancies, if they did not speak agreeable truths.

If men like these (who have not failed to say *that*, in the course of their examinations, which exposed themselves to personal hazard) shall have given a true and honest testimony, in contradiction to the obvious admonition of the powerful party pro-

ducing it, and in opposition to their own interests ; it is not only a rare instance of its kind in India, but, under all circumstances, a sacrifice to truth which has been seldom exceeded in any age or country.

✓ A very nice and critical attention is every where observable throughout the examination to involve these witnesses in curious explanations and conjectures. But I think it may be very fairly said, whatever temporary embarrassment may be apparent at intervals, that, on the whole, they have extricated themselves from the snares and pitfalls laid for them, with ease and perspicuity. So much were the Examiners possessed of the utter failure of their commission, in the principal point to which it was directed, that they have contented themselves with giving the substance of the examination, without attending to their instructions, which had directed the depositions to be taken in the Persian language.

^ I know that the Examiners, in their account of the conducting of the *proces verbal*, although they have given, as they could not otherwise have acted, a general credit to the explanations and evidence of Alli Rhezza, have yet endeavoured to throw a slur on the testimony of Gholaun Alli Khan. But it is not to be endured, that a party shall first fish out for evidence ; and when it will not answer his purpose, that he shall be at liberty, not only to discard it, but, in consequence of the disappointment, to vent his rage and his abuse upon his own witness. This would not be tolerated in an Old Baily Solicitor.

The Examiners have stated that the last witness
 “ commenced with the most artful affectation of
 “ imbecility and dotage ; and his feigned condition
 “ was so well assumed, as, joined to his old age and
 “ infirmity, was well calculated to elude inquiry.”
 But it may not be a far-strained supposition to imagine, that the imbecility and dotage of Gholaun Alli might be real, rather than assumed. They, who

saw the old paralyzed Vakeel, while he was carried about Madras, a motionless and almost lifeless form, nearly ten years antecedently, will not very much wonder, that he should at this period appear not quite so alive to stale transactions, or so collected, as his active Examiners would have him. But be this as it may, the Indian Governments are the last parties in the world, who have a right to take exception to his testimony.

I have shown, and I trust satisfactorily, that neither in the Papers; nor in the explanatory evidence of the Ambassadors, as acknowledged by the act of the Examiners themselves, is there any foundation for surmise, much less a well-authenticated proof of the mal-intent of the Nabob Mahommed Ally, in relation to his engagements.

And what else is there, of which his Highness, or his Successor, is accused? A solitary act; emblazoned and dwelt on by the Governor General, not as a substantive grievance, but produced as an accumulative load of offence; but, neither of the like complexion, nature, or family, with the original imputed sin. I allude to the alleged violation of treaty, and consequent breach of faith in the Nabob, in having granted Tuncaws or Assignments on the countries, which had been allotted to the Company, in the event of the failure in the payment of his Kists or Subsidy. This on the principle of "*juncta juvant*," is set forth with much show and circumstance in the intended Proclamation, which I shall notice by and by. It is said—

" That the Nabob Mahommed Ally, as well as his son and
 " successor, had repeatedly granted Tuncaws and Assignments
 " of revenue, of the districts pledged to the Company, in
 " direct violation of the treaty of 1792, and to the manifest
 " injury of the territorial security provided by the Company,

“ for its interest in the Carnatic ; the British Governments, however, continued to extend to their Highnesses, the indulgent operation of the beneficial conditions of the Treaty of 1792, by abstaining from the exercise of the just rights acquired against their Highnesses, under the *express stipulations* of that engagement, and under the acknowledged interpretation of the *law of nations*.”

Now there is nothing like proof, in any of the documents I have examined, that Tuncaws or Assignments on the revenues of the Carnatic, contrary to the 8th article of the Treaty, had ever been granted by one or other of the Princes, named in the passage of the Declaration just quoted ; and, on the other hand, in the letter of his Highness the Nabob Omdut ul Omrah, to the Marquis Wellesley, shortly after his arrival in India, the fact is *positively denied* ; and, as the Marquis has not contested the matter with his Highness, I think the reasonable presumption is, that no such Assignment ever did exist.

But besides this presumption, you have the total silence of the Company, and their Governments abroad, on this subject. The countries, pledged for the purposes of the Treaty, by the 5th article of that instrument, have since come to the hands of the Company ; and no one complaint is uttered, either of the existence of such assignments, or of prejudice being in any way effected either to the lands, or to the revenues derivable from them. A contrary fact is indeed endeavoured every where to be established ; namely, of the production and increased revenue of the Carnatic (I will not here say by what means), since the country has been subject to the Company's management.

It is also evident, that, to the end of the Nabob Omdut ul Omrah's life, the Kists, stipulated by the treaty of 1792, had been duly and faithfully discharged ; and it was only by a failure, on the part

of the Nabob, in the payment of such Kists, that the Company could have any interest in the revenues of the districts in question. So that, if any assignment had been made by either of the Princes, of the description charged, howsoever they might have afforded an indication of inattention to the letter of the treaty in this particular, it is plain, that the act has not been followed by any prejudicial effect, to the rights of the Company, as insisted on in the Declaration. ✓

But assuming the fact, that Tuncaws had actually been granted, which the Nabob had engaged that he would abstain from the grant of; from the *exercise* of what *just rights* have the Company *abstained*, which they were entitled to exercise, by the conditions of the treaty, and the law of nations, which is asserted in the Declaration? ^

I know it has been argued by some, certainly capable of arguing better, that by a grant of Tuncaws, the Nabob, on the fair interpretation of the Treaty, would have forfeited the beneficial stipulations of it; and have rendered, not only the mortgaged districts, but the whole Carnatic, subject to the seizure of the Company. To manifest the fallacy, as well as folly, of such an argument, you have only to peruse the article of the treaty, which contains the provision in question. And it is this—

“ In consequence of this measure, whereby the districts,
 “ mentioned in the schedule, No. 2, become responsible for
 “ any arrears that may accrue in the payment of the above
 “ stipulated Kists, the said Nabob agrees, that he will not
 “ grant Tuncaws or Assignments, on any account, on the re-
 “ venues thereof; and if, contrary to this condition, any Tun-
 “ kaws or Assignments should exist, when the said districts,
 “ or any of them, shall be assumed by the Company, such
 “ Tuncaws or Assignments, shall be declared by the said Com-

“ pany, and the said Nabob, of *no value*, nor shall they remain in effect*.”

Now what remedy is the Company entitled to in this case, and how is it available on the event of the breach of the stipulation, by this article of the treaty? It gives no right at all to the Company, to enter on the *mortgaged* premises, if we may use the term, and much less any other premises, until after the failure in the payment of the Kists at the stated time; and then, by the first clause of the 8th article, it is provided, that the Company shall not enter on the *whole* of the districts, pledged for the payment of the Kists; but “ shall assume the *management of such district, or districts*, the revenue of which, after deducting the charges of collection, shall equal the amount of the Kists, which shall have fallen in *arrear*.” The whole remedy given to the Company by this article, in the possible event of any Assignments or Tunkaws, existing at the time of their taking possession of the soil, is, that all charges, with which the Nabob may have burdened it, shall be null and void; and that his Highness shall be called upon to *declare* to that effect.

The evident operation of the treaty here is, to render the Nabob liable, by other available means, if there were any, to the creditors on the soil; and to exonerate the Company from all existing *onus* upon it.

If you will take the trouble to turn to the letter of the Marquis Cornwallis, wherein he assigns his inducements to, and his explanations of the Treaty before quoted, you will see, that the article in question, if there be any supposed doubt in the wording of it, will admit of no other construction, than that which I have adopted. His Lordship appears to have had a reluctance in proposing the article; from

* Fifth clause of the 8th article.

the too humiliating condition, in which it would seem to place the Nabob in the eye of the world. But he, at length, submitted it; and his Highness, without reserve, put his hand to the agreement. There wanted but *this* to give a most perfect security to the Company; not possible to be injured by any after act, either of the Nabob or others. For by the publication of the Treaty, which afterwards took place at all the Settlements in India, and through all the public prints, the whole world were informed of the incumbrances to which the districts, set apart by the treaty, were liable: so that, if any one should lend money on them, they would have no remedy but in the equitable principles of his Highness.

To talk, after this, of the possibility of either immediate or remote injury being done to the interests of the Company is as ridiculous, as to maintain their supposed rights, according to any crude or fanciful interpretation of the Law of Nations, asserted by the Eastern Governments in their intended public acts. But it is clear, notwithstanding their magnanimous manifestoes, as abundant in high-sounding and sonorous phrases, as empty in sense, that the Eastern Governments themselves could not have entertained an opinion, that a grant of Tuncaws, or Assignments, could have furnished the least pretence for possessing themselves of the territories of the Nabob. It is observable, in every part of the correspondence, that the Company and their Governments, for a long series of years, have manifested the most anxious wish to seize, if occasion should offer, the dominions of their Ally. They have not pretended even to cloak it; and I shall show, in a future place, that they never were more desirous of effecting this object, than when the Marquis Wellesley was proceeding to the East. And, if an opportunity, I mean a defensible opportunity, had discovered itself, there was nothing in the instructions of his Constituents, nothing in the dispo-

sition of the Governor General, as we may see from his subsequent acts, which would have hindered him from accomplishing his end.

If the fact of the grant of the Assignments were made out, or capable of it, and if the penalty, now insisted on, resulted from it, it is plain, that the Indian Governments would have enforced it, inasmuch as the reason and justice of the enforcement would be manifest to the meanest capacity. It would be a direct, open, breach of an engagement, and as *ouvert*, and manifest a remedy, which the Company had an indisputable right to avail themselves of. They would not in that event have been constrained to have had recourse to grounds the most vague, and the most doubtful, when they had a good avowable cause, and would not have endeavoured to defend their acts, which are pretended to be raised on them, on the most obscure, and I think I may be allowed to add, the most absurd data.

I know that the footing on which the Eastern Governments have chosen to rest their acts mainly, is in *assertion* of a more strong and defensible nature; and I know, that it was most probable, if credited, to give a more striking appearance of reason and justice to the act that they were about to commit. But from the disputable ground of it, if it should have been inquired into, and which was not unlikely, it was infinitely less safe. The *one*, if founded in point of fact, which is contended, was most capable of *evidence*; while the *other*, if demonstrable at all, was to be deduced by nice and *fine-drawn* constructions, not from facts, but from fallacious *appearances*.

The very shift of adding this comparatively trivial breach of the fulfilment of the engagement on the part of the Nabob, and which at last is of no positive nature, demonstrates the little reliance placed on the grave matter, which is exhibited as the burden of the complaint. If that could have been believed by the

Governments of India, and they were able to create, from unerring circumstances, a similar conclusion in the minds of their countrymen, and of the different Asiatic Courts, there could have been very little reason to have adjoined to the daring *guilt of treason*, the *petty larceny of deceit*. Of the junction of these different degrees and species of offence, which the world were called on to try at the same instant, there was some hope, that the mind would have been distracted in the judgment which it might form; and might be so perplexed, that, on retiring from so mixed an inquiry, it might chance to bear away some faint impressions, or prejudices, not very determinate perhaps, but leaning to the conclusion, that *some* of the complaint might have been founded in truth—that the party, who had been accused of much, might at least have been convicted of a part.

I have taken some pains to make out, that neither the fact, of granting Tuncaws, or Assignments, (which were capable of proof, if existent) nor the fair constructions to be drawn from the documentary testimony, the only other ground on which it is defended, could have warranted the Eastern Governments in settling the succession to the Musnud of the Carnatic, in the manner in which it has been done.

A great deal of ingenuity had been exhausted in framing a Declaration, which the Indian Governments had it in contemplation at first to publish, to show to the world, that their act was founded, in a pretence at least, of justice; but the attempt, when made, had so inauspicious a termination, as to induce the framers of it to abandon their own child. They could not, even on their view of the case, excuse it to their own consciences. The fate of this unhappy Paper was, to be sent to Madras, for the purpose of being returned to Calcutta: unless the transmission of it to the different Governments of India, for the *private* information of their own residents, can be deemed a more extended publication.

Of this notable Paper it would seem, that I am now called to offer the few observations which I have to make. I might otherwise, perchance, be suspected of having omitted some of the reasons, which influenced the Eastern Governments in adopting the line of policy, which I have ascribed to them.

The Declaration describes the part, which the British Government had taken, in supporting the pretensions of the Nabob Mahommed Ally in early times; the different Treaties which had been thence concluded between the former, and the latter Power; the various acts of the British Government in the fulfilment of the engagements on its part, and the generous relinquishment of the pecuniary rights acquired by the Treaty of 1787, by the posterior Treaty of 1792; and, above all, its forbearance to avail itself of the penalty of the alleged breach of covenant in respect to the Tuncaws, or Assignments, before spoken of.

I have shown what the Company have resigned, in point of right, as connected with the alleged Assignments, and some idea may be entertained of the great liberality of that body, in the relinquishment of its pecuniary rights, by reference to the letter of Lord Cornwallis, when he was settling the treaty of 1792. It will there be seen, that the alteration of the treaty of 1787, in respect to the *amount* of the Subsidy, was a measure not of generosity, but of expedience; founded on the sense, that the pecuniary provisions of the existing engagement were too heavy for the Nabob to bear, and too chimerical for the Company to expect that they should be realised. And it would be libelling the memory of Lord Cornwallis, to suppose, that he was giving away as a boon, the rights of his Constituents, and his Country.

The Declaration, however, implies this, and assumes no inconsiderable degree of credit to the Company, for their moderation and bounty. It weeps, while it is

recounting, reluctantly recounting, the misconduct and ingratitude of a perjured Ally!

How *painful* it was to the British Government, as expressed in the Declaration, to expose the alleged conduct of the Nabobs, may be gathered from the very dilated manner in which their supposed perfidy is related, as well as from the space, occupied in the Declaration, in dwelling and descanting on the situation, to which the acts of those Princes had been imagined by the Eastern Governments to have subjected them. It fastens on the body of the supposed fault, not with the ferocity of the tiger, but the playfulness of the cat, mouthing and sporting over the agonies of its bleeding prey.

In all the State Papers which have been ever given to the world, I can discover none, which in any possible view of it, can compare with this, in the obscurity of its style, in the fallacy of its conclusions, or in the misapplication of its results to the purposes it had in contemplation.

I have before demonstrated, that not one of the documents, said to have been found at Seringapatam, *self-considered*, or aided by the testimony of those, who were called to speak to them, manifested an intention, much less an act, of any adverse construction to the Company, or their Allies: and this is further proved by the evidence of history. Both the Princes have completed their reigns, without exhibiting a single public act that can keep any one of the suspicions of the Indian Governments, as avowed in their Declaration, in countenance or semblance.

The times, in which they lived, afforded them opportunities enough, of evincing their regard for the Mahommedan Faith, and the *illustrious pillar* of it, so often talked of, if they had entertained such designs; and more especially if they had entered into the solemnity of a league for giving them effect. On the contrary, however, the British Government

have beheld the Nabobs of the Carnatic, fighting by their side, in all their wars, with the fanatic and tyrannical Sovereign of Mysore.

So that, in opposition to the fine-spun web of the Eastern Government, to catch the heir to the Musnud of the Carnatic in their toils, you have the experience of the conduct of the Nabobs, in direct contradiction of every thing they have asserted.

If you look at the time, when the secret intercourse is said to have taken place, and for the purposes inferred, you will perceive that no period could have been selected more unseasonable for giving it effect. Tippoo Sultaun had just been obliged to sign a convention in his capital, where he had been shut up by the Allies, whereby he gives away for ever one half of his dominions; and more, that the amount of his present treasure—So that he, in this situation, was not likely to prove a very profitable Ally to the Nabob. Now what sort of an Ally could the Nabob be to Tippoo, if that Sovereign should have wished to cultivate his friendship for the restoration of his desperate affairs? Had the Nabob any one of the means, either troops, or stores, or any other the sinews of war, which could promise the requisite assistance that Tippoo wanted.

It is notorious that the Nabob could not protect himself; the defence of the Carnatic having been left entirely to the subsidized troops of the Company. Unless, therefore, you could suppose both the Sovereigns deranged in intellect, you would never dream, in this conjuncture, that they could be thinking of alliances; so that you have not only the evidence of after acts, but a positive state of things, plain as they could speak, that repel every supposition which the Governments of India have endeavoured to raise. And besides all this, you will learn from the evidence of Purniah, the Vakeels, and others, that the minds of the parties were as hostile to any supposed union for common purposes, as the surrounding state of

things. For the Nabob is represented by the Vakeels to have been incapable of forgetting the injuries which his family had sustained by the private acts of violence of the Sultaun. And Tippoo is stated by Purniah, his late Minister, and the present favoured Protégé of the Company, to have entertained, to the last moment of his existence, the most sovereign contempt for the Nabob.

Now, to what does all the bombastic show of circumstances in their delusive Declaration; all the lengthened, abortive reasoning of the Eastern Governments, amount to? It is a laboured excuse, long in detail, complicated in its view, and purposely inexplicit. It aims at much, but effects nothing. You would think, at every instant, that it was pregnant with some mighty matter, when at the next moment the hope of the anterior is destroyed. You are every where told of secret intercourse, of private correspondence, and of mysterious views, between the Nabob and Tippoo Sultaun, but they never condescend to let you know, in the end, for what purpose all these were had.

I have laid before you all the papers from which they have drawn their information, and founded their resolves. If any thing should be thought to be left unexplained by me, in respect to the discovered instruments, you have only to read the correspondence of the Nabob with Tippoo, which was carried on under the eye, and conducted through the channel, of the Government of Fort St. George*. You will there find all the expressions of anxiety for the faith, of friendship for the person, and solicitude for the family of Tippoo, as are to be found in the supposed unauthorized correspondence which has been spoken of at length.

I have explained, that the Declaration “*goes about*

* Vide page 267, et infra, of the 1st vol. of papers laid on the table of the House in 1803.

it and *about* it," but never comes to any point, as to the drift of the secret intercourse, with which it charges the Nabobs.

It states, however, that it is manifest (speaking from the papers I have last referred to), that the *intentions* of the Nabobs Mahommed Ally and Omdut ul Omrah have been uniformly and without interruption hostile to the British Power in India, and that those intentions had been carried into effect, to the full extent of the actual power possessed by their Highnesses respectively. I shall not go into verbal criticisms, and so shall not observe on the possible operation of hostile *intentions* as to a breach of treaty, if such intentions were apparent. But these intentions are said to have been carried into effect, and therein, indeed, would consist the offence, if any. But in what and how are they carried into effect? The Government have not deigned to explain, except by saying generally, "to the full *extent* of the *actual power* possessed by their Highnesses respectively." So that, as to the extent of the effect, and of the actual power of the one, or either of the Nabobs, we are left wholly in the dark.

Having begged the first step, "the pretended hostile *intentions*," as a result of fallacious and deceptive argument (from premises which will not bear it out), the Declaration goes on to assume another step, and, from construction on construction, result after result, would arrive at the final position where every thing is to be rested.

Having argued an hostile *intention* from the documents found at Seringapatam, which are incapable of such a construction; the Declaration gives to the intention, which is no where charged with a fixed and definitive object, a qualification of its own. It makes it *hostile* to the British Power, and *subversive* of its influence.

This stone being laid, the architect of constructive treason begins to rear his edifice. Like Aladdin,

and by the same invisible means, he builds his house with the rapidity of thought.

What was hostile *intention* only in the first paragraph, is in the next conjured into an hostile *act*. For the Declaration, without interruption, states—

“ By *acting* on these *principles* of *conduct*, the Nabobs Mahommed Ally and Omdut ul Omrah, not only violated the rights of the Company, but, by uniting their interests with those of the most implacable enemy of the British Empire, the Nabobs Mahommed Ally and Omdut ul Omrah, actually placed themselves in the relation of public enemies to the British Government; *dangerous* to the *extent* of their *respective power*, and *active* according to the *means* and *opportunities* afforded to them by the circumstances of the moment, and especially by the most severe exigency and pressure of war. Every *principle*, therefore, of *public law*, releases the Government from the *intended obligations* of the treaty of 1792.”

And the Declaration goes on with asserting the rights accruing from the alleged breach of the engagement on the part of the Nabobs; and the temperance and moderation, in which the British Government meant to have exercised them towards the Nabob Omdul ul Omrah, who had unfortunately died before he received this last proof of the Company's magnanimity.

I am at a loss, I confess, to understand this part of the Declaration very clearly. I disdain, as I have before said, the foppery of a discussion about words. I know not that the Declaration had previously imputed to their Highnesses any one act, as in *direct* offence, except the mere writing of the papers enumerated, or the conversations mentioned in the correspondence of the Vakeels.

And what, in this point of view, and I know of no other, had the Nabob Wallajaw, or the Nabob Om-

dut ul Omrah *acted*, which had placed them, or could be supposed to have placed them, in the situation of *public enemies*. They had written letters; they had held a friendly language about Tippoo Sultaun; they had spoken about their common faith. This is the way (for no other is even pretended) in which the Nabobs Wallajaw and Omdut ul Omrah, *united their interests* with the most implacable *enemies* of the British Empire.

It is to be observed, that at the time alluded to, so far from being in a state of enmity, Tippoo had entered into an amicable Treaty with the British Government, and had all the outward appearances of a friend.

And here also the alleged *acts* (as the *intentions* before spoken to) have a meaning and tendency equally as mysterious, equally as indefinite and unexplained; they are said to be "*dangerous to the extent of the respective power, and means, and opportunities of the Nabobs.*" The effect of these terms I shall endeavour to elucidate hereafter, in their application to a correspondent case.

It is not a little curious, that when a mind, certainly of great intelligence and of some erudition, is intent on laying before the world a *corpus delicti*, and that a very flagrant offence (taking it to be true and felt), and is not able to communicate any definite or precise idea of it—this of itself would show what sort of a case was in contemplation: certainly, not a very plain one, nor for the comprehension of plain men. I do not recollect to have ever seen an account of a supposed crime, with so much confusion in it, as is observable in the statement which I am considering.

The papers and the conversations are the sources, or proofs, relied on in the Declaration, whence the hostile *intentions* of the Nabobs are inferred; and then, in the same breath, the same proofs are converted into evidence, the only evidence given us, of

hostile acts. They are at the same time the design, and the deed, the motive, and the act.

And, what is the tendency of the alleged intentions and acts? What mischief were they calculated to produce? What mischief have they in point of fact done? Have the Indian Governments told you this? Had they no intention to tell it you? You have a long Declaration which was framed with this very purpose. And does it assert any thing in the shape of a precise fact, which makes out the accusation?

A prolix and tedious paper narrates a long tale, and at last concludes, that the intentions of the Nabobs Wallajaw and the Nabob Omdut ul Omrah were carried into effect: and the effect was dangerous to the extent of their power, means, and opportunities—

“ Quorsum hæc tam putida tendunt ? ”

There is no need of divination, those who run may read.

Take the whole of the Declaration, as far as it can be understood, and it speaks this: That the Nabobs were hostile, or at least are pretended to be so, in their *intentions* only; and that they would have been so in act, if they had had the power, or the means of being so. If it had been otherwise, or could be otherwise stated, you would have had the catalogue of their ill deeds. Insinuation, a flimsy insinuation, was all that was meant; too thin not to be seen through by the purblind Courts of Asia: and therefore the Declaration has been suppressed.

But you will wish to know how all these things, if admitted, could affect the young Prince? Suppose even, that the Nabob Mahommed Ally and Omdut ul Omrah had been untrue to the extent insinuated, to the terms of their engagements—what then?

How is the Prince Ally Hussain concerned or interested in their acts? I will shortly acquaint you, from the Declaration, how the Indian Governments have applied their reasoning, and their public law, to the predicament of the young Prince, in his relation to the Sovereigns just mentioned. 1

I have before told you of certain *vaunted* rights of the Company, arising out of the alleged condition of things, as connected with the Nabobs. They state, with a serious and solemn face, and in the instrument referred to—

“ That every principle of public law *released* the British Government from the intended obligations of the treaty of 1792, and every consideration of self-defence and security, authorized the Company to exercise its power in the manner most expedient for the purpose of frustrating the hostile councils of the late Nabob of the Carnatic,” meaning the Nabob Omdut ul Omrah.

And explaining why they had not sent the Declaration, and its appendix, to the Nabob Omdut ul Omrah, they afterwards say—

“ That his subsequent death frustrated the wish of the British Government to obtain from that Prince satisfactory security for the *rights* pledged to the Company in the Carnatic.”

Could absurdity be well supposed to make a further advance than this!! What rights in the Carnatic (as mentioned in the preceding paragraph) had the British Government, or the Company, for which they had a reason to demand a *satisfactory security*? They were rights, as they tell you, *pledged* to the Company, arising, of course, out of the stipulation of the treaty of 1792; they could be no other. And what had become of that instrument at the juncture in which these rights are talked of? It was a *dead*

letter. The British Government were released, as they have insisted, from all intended obligations under it. And will any one be sottish or bold enough to argue, that the relative obligations of the Princes of the Carnatic, created by the Treaty, should exist after the treaty itself? That the Company shall put the pecuniary advantages secured by it into their pockets (which seems all that they ever had in intention); and that they shall be liberated from the duties, of which the gold of the Carnatic was the declared and avowed consideration? The reasoning is too absurd to be more than stated.

But I will show how all this trash is intended to be made applicable to the Prince Ally Hussein. And I cannot take a readier way, than by quoting that part of the Declaration hereafter, which is in allusion to his Highness's condition—

In which you will have the imaginary circumstances; the specious reasonings of the Indian Governments; and the doctrine of the Law of Nations, which is to justify their conduct.

By this, is the character of *British Faith* and the *British Government* (for it is every where used in the Declaration, as a correlative term with the Asiatic Executive), to be vindicated and supported.

You will see what are the circumstances of offence imputed by the Declaration, and the alleged operation of *public law*, as argued to be applicable to them. I am ashamed of the term *law*, when applied to Asiatic transactions.

The pretended offence of the young Prince, is the act of his Grandfather; it is not otherwise even argued. It is charged, that Mahommed Ally, in his reign, was guilty of a criminal intent, a design to break his engagement with the Company, which was carried into effect as far as he had means or power. Take all for granted, for the purpose of the argument, the offence amounts but to this.

I have before stated, that all the complaints of a breach, or intended breach of the peace, in the part of the Nabob Omdut ul Omrah, during the continuance of his reign, and the pretended *grounds*, on which they had been asserted, were given up by the *Indian Governments*, or their Officers, in their search after evidence to sustain them.

The whole of the argument of the Governments of India would seem to be bottomed on ground, either misunderstood, or supposititious.

It assumes as a principle, to which the existence of the Treaty gives a direct contradiction, that the right of sovereignty of the Carnatic was created by the treaty: whereas, the very act of convention, for the negociation of the treaty, presupposes the independence and sovereignty of the Nabobs; it shows, in express language, the footing on which both parties contract. It admits, but does not establish the character of an independent power. And as the Treaty does not create the right, but acknowledges it, a breach of the treaty, it is evident, would leave the right of sovereignty and succession, as it existed before the conclusion of it, by the parties contracting.

In the treaty of 1792, the East-India Company do not pretend that they are conferring any rights on the Nabobs of the Carnatic:—but they stipulate and guarantee, as the British Government had before done in the treaty of Paris, for the protection of the Nabobs' rights of Sovereignty, and for the succession to them in the course of hereditary pretensions.

Of the benefit of the Company's guarantee, the young Prince is said to be deprived by the acts of the Nabob Wallajaw, or Mahommed Ally, one of the original contracting Powers: for the Declaration says—

“ The death of the Nabob Omdut ul Omrah, has not affected
“ the rights acquired by the British Government, under the dis-

“covery of the *breach* of the alliance. Whatever claim the
 “reputed Son of the Nabob Omdut ul Omrah may be supposed
 “to possess, to the Company’s support of his pretensions to
 “the Government of the Carnatic, is founded, on the grounds
 “of *right of Omdut ul Omrah*, to the assistance of the Com-
 “pany, in securing his succession to the Nabob Mahommed
 “Ally, founded on the express stipulation of the treaty of
 “1792.”

And it is then stated, that the result of the propositions in the Declaration, shows, that the fundamental principles of the alliance, between the Company and the Nabob, as declared in the treaty of 1792, had been violated and rendered of no effect, previous to the ostensible conclusion of that instrument; and therefore, that the Nabob Omdut ul Omrah, could derive no rights from the ratification of that Treaty, the vital spirit of which, as contended, having been previously annihilated. And as the Prince Ally Hussein, claimed through the Nabob Omdut ul Omrah, that with the *latter*, his Highness’s pretensions must fall, and in this way the Declaration proceeds to the end.

In language less to be mistaken, the argument of the Eastern Government is this:—

The Nabob Mahommed Ally, had at one time entertained a criminal intent against the Company, looking to his engagements then subsisting. But at a subsequent date, he entered into a new contract for himself and for his successors. He dies, and at a distance of several years, and after the intervention of an intermediate reign, the successor of Mahommed Ally is told, that he cannot have the advantage of the latter engagement, as, prior to the time of the conclusion of it, his ancestor had discovered a sentiment, hostile to his original treaty.

Need we refer to the opinion of learned jurists, and the law of nations, applicable to circumstances

like these? Does not every one know, that in signing and exchanging new Treaties, that all the previous actions of the parties are committed to oblivion? And that a contrary supposition would destroy the manifest spirit and intent of such an instrument. Does not the circumstance of the subscription, change the parties to them, often from the condition of declared enemies, into close and cordial friends? But where would be the security of the instrument, if it were to be open to either party, as convenience might dictate, to find in the anterior hostility of the other, an excuse for the breach of the engagement? These instruments express the supposed disposition of the parties at the time, and their future respective obligations. It is idle to imagine, that parties may go back, when they please, to ancient doings and long-buried grudges, as a pretence for the annulment of their own solemn compacts.

But let us observe a little more closely, how things stood at the time when the Governor General tells the young Prince, that he is in the condition of a public enemy. And let us see how the principle of the Law of Nations will apply to them.

His Grandfather, the Nabob Mahommed Ally, had entertained sentiments in his life-time, as it is presumed by the Declaration, of an hostile tendency to the interests of the East-India Company. But the precise extent and object of the intention of Mahommed Ally, at the time it was entertained, has never been discovered; nor was the intent itself known, until after the demise of the party, who had conceived it. So that the whole of the possible offence, which could have followed from the act in contemplation of the Nabob, if the intent had shown itself in any act, would have been *personal* in the Nabob Mahommed Ally. *He* completes his reign, and month after month, to the time of his death, gives substantial proofs of his compliance

with the most material part of his engagements, by the payment of the Subsidy, stipulated and anxiously secured against all possible disappointments, by the provisions of the Treaty of 1792. He dies in the year 1795 : a date subsequent to the commencement of the supposed friendly intercourse (and which has been stated to have existed through the whole of the interval) of *twenty two* years ! At no period of this extended space did the Indian Governments apprise his Highness, the Nabob Mahommed Ally, that he had any sentiments of favor, towards the Court of Seringapatam. On the contrary, the only representation made by the Indian Governments, of his sentiments towards the Prince of Mysore, gives them the tendency of inveterate animosity to his cause and person. The crime, therefore, of the Prince's Grandfather, if any crime there was about him, is suffered to descend with him to the grave, the last repository of human frailty, and remote from the search, as it should seem, of human vengeance.

The Nabob Omdut ul Omrah, the father of the young Prince, and the successor of the Nabob Mahommed Ally, ascends the Musnud of the Carnatic, and continues to occupy it, from the death of his father to the year 1801, when he also closes his reign and his life together. And in this interval, also, no one intimation is made to his Highness, that he had entered into negotiations or alliances, in contravention of his existing engagements with the East India Company. It is pretended, however, after the death of the Nabob, but I have observed on what frail grounds, that the Governor General had it in contemplation to state the alleged breach of treaty.

The young Prince Ally Hussein, the acknowledged son, and declared heir of his Highness Omdut ul Omrah, undisputed by the Governor General, and indisputable in point of fact, acknowledged too, in

the writings, and by the acts of the Indian Governments, appears before the representatives of the East India Company, with the treaty of 1792 in his hand, and points to the provision which it holds out, for the guarantee of his Succession. And at this time of day, and under these circumstances, is the first mention made of the forfeiture of the beneficial conditions of the treaty, as referring to the Prince.

And what now is the language to the youthful and interesting object, which presented itself, and laid claim to the protection of the British Government? "*Horresco referens.*" I am speaking from the Declaration *—

" Whatever claim to the Company's protection and support you may derive from your supposed father, (delicate insinuation!) has been utterly destroyed by the hostile conduct of Omdut ul Omrah. It follows, therefore, that you have succeeded to the condition of your father, which was the condition of a public enemy: and consequently, that at the death of Omdut ul Omrah, the British Government remained at liberty to exercise its rights, founded on the faithless policy of its ally, in whatever manner might be most conducive to the immediate safety, and to the general interests of the Company in the Carnatic."

And after dwelling for some time on the moderation and forbearance of the British Government, in having offered to heal the wounds, inflicted by the supposed breach of treaty, by the acceptance of the entire, unconditional surrender of the territory of the Carnatic, which the Prince would not accede to in the extent of the proposition, the doom of the Prince, and sentence of the Governor General, is further pronounced in these words—

* Vide page 43, of the first papers laid before the House.

“ You, the reputed son of Omdut ul Omrah, by and with
 “ the advice of the persons appointed by your father’s will,
 “ to assist your Councils, have persisted in opposing a deter-
 “ mined resistance to our demand, thereby exhibiting an un-
 “ equivocal proof, that the spirit, which actuated the hostile
 “ councils of the Nabobs Mahommed Ally and Omdut ul Om-
 “ rah, has been transmitted with unabated vigor to you, the
 “ supposed son of Omdut ul Omrah ; secured in its operation
 “ under the sanctimonious forms of their testamentary injunc-
 “ tions, and preserved with religious attachment by you, the
 “ ostensible descendant of that Prince.

“ Frustrated in the hope of obtaining from you reparation
 “ for its injuries, and security for its rights, the British Govern-
 “ ment is now reluctantly compelled to publish to the world
 “ the proofs of this flagrant violation of the most sacred ties of
 “ amity and alliance by the Nabobs Mahommed Ally, and
 “ Omdut ul Omrah, and the hereditary spirit of enmity, mani-
 “ fested by you, to the interests of the British Government.
 “ The *duty and necessity of self-defence* require the British Go-
 “ vernment, under the circumstance of this case, to exercise its
 “ power in the attainment of an *adequate security* for its rights.
 “ JUSTICE and MODERATION warrant, that the family of Omdut ul
 “ Omrah shall be deprived of the means of completing its *sys-
 “ tematic course of hostility*. WISDOM and PRUDENCE demand,
 “ that you shall not be permitted to retain possession of re-
 “ sources, dangerous to the tranquillity of the British Govern-
 “ ment in the peninsula of India.”

The Prince is then hurled from his throne, and another, with as much pretensions as the party favouring them, is seated by the authority and force of the Asiatic Government in his destined and hallowed seat !

Judge Jefferies himself (or if any other more tyrannical in temper or more depraved in heart can be imagined) never outraged the feelings, by profaning the name of law—the sacred term of justice—and all the qualities, which dignify and adorn the human breast,

in addressing the devoted and guilty wretch, who had fallen within the range of his authority; more *flagrantly* and more *violently*, than they are here outraged, in the case of an innocent and inoffensive Prince.

To call aloud on public law, for a sanction to the act, is to evince that there is as little decency as remorse in the actors of this shameful scene! Happy would it be for their security—happy for the peace of their own bosoms—if they shall be able, at a proper season, to bring any principle of natural justice, any even musty dictum of the Jurist, to defend and excuse an act, which, as long as it shall remain unsupported by such aid, must bring down a shame on the heads of the perpetrators of it, and, as long as it shall remain unpunished, a lasting slander on the country.

But though the *law of nations* can afford not, in my comprehension of it, and I have turned over the works of those who have the credit of expounding it with truth, any thing in the nature of a precedent, or available justification, for measures such as these; they are not without their similitude, at least, if not their countenance, in the *law of nature*. One of the profoundest writers on this species of Ethics has a case (it is but a solitary one indeed) that would seem, from the aptness of its adaptation in every part, to have been made for the purpose. But though Æsop has delineated features in his picture, which would seem identified with the object here spoken of, yet he has added such a commentary on his text, that would be neither creditable nor comfortable in the application.

“ One hot, sultry day (says the learned author), a wolf and a lamb happened to come just at the same time to quench their thirst in the stream of a clear silver brook, that ran tumbling down the side of a rocky mountain. The wolf stood upon the higher ground, and the lamb at some distance from him down the current. However, the wolf, having a mind to pick a quarrel with him, asked him what he meant by dis-

“ turbing the water and making it so muddy, that he could
 “ not drink, and at the same time *demand*ed satisfaction. The
 “ lamb, frightened at this threatening charge, told him, in a tone
 “ as mild as possible, that, with humble submission, he could
 “ not conceive how that could *be*, since the water which he
 “ drank, ran down from the wolf to him, and therefore it
 “ could not be disturbed so far up the stream. ‘ Be that as it
 “ will,’ replied the wolf, ‘ you are *arasc*al, and I have been *told*;
 “ that you treated me with *ill language* behind my *back*, about
 “ *half a year ago*.’ ‘ Upon my word,’ says the lamb, ‘ the time
 “ you mention was *before I was born*.’ The wolf, finding it to
 “ no purpose to argue any longer against *truth*, fell into a great
 “ passion, snarling and foaming at the mouth, as if he had been
 “ mad. And, drawing near to the lamb, ‘ Sirrah,’ says he, ‘ if it
 “ was not *you*, it was your *father*, and that’s all *one*.’ So he
 “ seized the poor innocent helpless thing, tore it to pieces, and
 “ made a meal of it.”—Vide *Æsop’s Reports*,

Every thing is decided here according to the nature and necessity of things. The wolf eats his prey without excuse, without remorse, without grace, either before or after his meal; without any boast of justice, of moderation, of magnanimity. It is for human practice to improve upon the brute, to preach the doctrine of conscience, and of immutable justice, at the time that it is stifling the best emotions of the heart, and treacherously trampling upon the most sacred principles of moral duty.

A more palpable abuse of power, of arbitrary, uncontrolled power cannot be found in the annals of recorded tyranny. And it will require no great pains to prove that the deed had been for years in meditation, before any of the shallow pretences set up for the excuse of it had been discovered or imagined.

In the acts of preceding Governments, you will read the laborious endeavours which had been used, under a variety of specious pretex^ts, for assuming and appropriating the territories of the Nabob,

At *one* time the amelioration of the condition of the subject; at *another*, the amendment of the political condition of the state, by *simplifying* the sources of authority; is held out as the ostensible reason of the Company, for wishing the entire dominion of the Country. But at *all* times the sole possession of the power of the State is looked to as a desirable and profitable thing; and the inconveniencies and horrors arising from the separation of the civil from the military power of the Country, are every where deprecated and deplored. The difficulties of divided dominion are sang with so much querulousness, and with so much apparent feeling, you would think that the Nabob, in turning a deaf ear to the dirge, was the hardest and cruellest Prince on earth.

“ How, in *one* house,

“ Should many people, under *two* commands,

“ Hold amity? ’Tis hard, almost impossible.”

LEAR.

The reasonableness of the proposition of the Company, that the Nabob should give them the Civil Power of the State, *because* he had given them the Military, is too clear to be denied. It must appear to every thinking mind a much more fit and easy thing for the Nabob to yield the remaining branch of his authority, than for the Company to renounce his bounty. And his Highness is therefore truly represented, as the most unjust and ungrateful being, in not obliging his faithful allies, in their modest and moderate wishes, in not consulting his people’s good, by surrendering the fertile provinces, which had been put under his protection by the hand of Providence, and transferring to the pastoral keeping of the Company, the subject flock, which he was bounden, by the most sacred of all duties, to watch over and protect.

When we see men expressing their dissatisfaction at the *refusal* of a Prince to assign his people, if the

thing could be done, like so many sheep, to the custody of a strange shepherd, we may form some possible conjecture at their mind and mode of reasoning. It is plain that they would seek their interest at any rate, and by any means.

This truth is spoken as openly, as men of such a description and character are used to speak, in the letters of the Governor General of India to the Court of Directors, in the month of October, 1801. In the glow of supposed success, he heedlessly breaks forth—

“ It is a great satisfaction to have ultimately accomplished
 “ an object, *long and anxiously* desired by the honorable Com-
 “ pany, and *earnestly recommended* by the Court of Directors to
 “ my *special attention*, when I had the honor to receive the charge
 “ of this Government. Your honorable Committee is apprized
 “ of the *early* solicitude which I manifested for the *accomplish-*
 “ *ment* of this *important measure*, upon my first arrival at Ma-
 “ dras, in the month of April 1798, as well as of the *repeated*
 “ attempts which I made on various occasions, in the years
 “ 1798 and 1799, to effect the *same salutary* arrangement. The
 “ successive failure of these attempts, combined with the re-
 “ flections arising from the equally unpropitious result of every
 “ preceding proposition of a similar nature, have enhanced, in
 “ my mind, the pleasure of witnessing the conclusion of the
 “ late Treaty. The intimate connection of this happy event,
 “ with the success of your arms in Mysore, forms a peculiar
 “ and interesting feature of the whole transaction; nor can
 “ your honorable Committee fail to remark, that the posses-
 “ sion of the Records of the House of Hyder Ally, in disclos-
 “ ing to your Government the whole system of the policy of
 “ your enemies in India, is the source from which we have de-
 “ rived that information, which has enabled us to complete the
 “ settlement of the Carnatic *.”

* Vide page 86, et infra, of the Papers of 1802.

This remarkable confession, suddenly and hastily avowed, does not only tend to show the principle on which the Company and their Governors have acted; but it demonstrates, beyond all controversy, the extreme good faith, and the strict and steady perseverance of the Nabob in the observance of his engagements. For how rigid must have been the Nabob's attention to the terms of his obligations, when a party interested, and anxiously intent on taking advantage of the breach of them, could not, in a series of years, find even a plausible pretence for availing himself of his object.

The avidity with which the apparent justificatory means are seized, it is not an unnoticeable feature in the transaction, when contrasted with the slow and tardy act which followed the discovery. The pretended records of Seringapatam are never suffered to see the light until 1801; though they furnished, from the moment of their being possessed, a reason for the seizure of the country. Was it that the Governor General was not prepared to determine on the right which they gave rise to? Was the season not fitted for the purpose? Or was he waiting for a mandate from Leadenhall Street, to sanction on his partial representation the intended act of his Government?

The pause is certainly remarkable. It is somewhat accounted for, however, in a dispatch of the Governor of Fort Saint George, and in other correspondence of the Supreme Government.

It is said in the former paper* :

“ That at an early period of time, after the discovery of the Papers found at Seringapatam, the Governor General had found it expedient and prudent to transmit eventual Instruc-

* Vide page 78, of the last-mentioned Papers.

“ tions to Lord Clive, applicable to the contingency of the
 “ Nabob Omdut ul Omrah’s death, previously to the determi-
 “ nation of the measures, which might be rendered necessary
 “ to our safety, by the detection of the faithless and hostile
 “ conduct of the Nabob.”

Reading this passage seriously, we might not be much censureable in concluding from it, that neither the papers, nor the pretended right resulting from them, were intended to be insisted on, until after the death of the existing Nabob: a period of fairer promise.

It appears also, from the writing of the Governor General, that there was some apprehension in his mind, which prevented him from taking advantage of the circumstance at the instant. A negotiation, it would seem, was at that time pending, which was to extend the alliance of the East India Company with the Nizam. And it was feared (certainly not an unreasonable fear), that the proposed new construction of treaties, and the intended application of it, might have temporarily alarmed the weak state of his Highness’s nerves, so as to have deferred the conclusion of the desired engagement. And who is there that does not agree in the policy of the Governor General? For what power could be supposed, as inclinable to benefit itself by the British alliance, if it should see one of its most ancient and faithful Allies repudiated and thrown off on the most idle and ridiculous pretences? It would at any time have been a mad measure, but at this a perfect phrenzy.

It would seem neither fit nor necessary to pursue this further: so I shall satisfy myself with observing, that after coolly waiting and deliberating, as I have described, execution is at length done, and on the principle which has been examined—of Power, boldly directed to the accomplishment of its design; which, with the indifference of a mechanical inven-

tion, rolling in its destined course, to the prescribed law of the mechanist; deaf to all cries, and proof against all impediment, sweeps with relentless fury every object in his way.

It is impossible for any man to form another idea of the transaction. If it had been an act reconcilable to any just and avowable principle, it would be natural to expect that the principle would be resorted to, and acted on in a similar case, if any such had thereafter occurred. Such a one did actually occur in a short time afterwards. And what is extraordinary, with all the alleged circumstances, infinitely more aggravated, than in the hypothetical case of the Nabob.

In searching the cabinet of Tippoo (and God knows if the Cabinets of other Courts were ransacked and explored, we might find abundance of such materials) certain documents were found, which impeached the conduct of the Peishwa then in alliance with the Company.

The Marquis Wellesley, in addressing Colonel Close, the English Resident at Poonah, in a letter, which is also on the table of the House of Commons, takes occasion to give, in pretty forcible terms, his opinion of the Peishwa's conduct. Amongst other things, he says—

“ That the Peishwa adopted a system of measures, by which he hoped to secure every *attainable gratification* of his *hatred and jealousy* of the *British name*.

“ That he professed a cordial disposition to co-operate with the British arms, &c. but by a course of studied evasion, and systematic deceit, he avoided all active interference in the contest with Tippoo, and actually maintained an amicable intercourse with the enemy, through the channel of Tippoo's Vakeels; whom the Peishwa persisted in detaining at his Court, in opposition to the repeated and earnest remonstrances of the Governor General.

“ The combined evidence of these documents, and of the Peishwa’s conduct during the war, affords unequivocal proof of the hostility of his disposition towards the British Power.”

And again—

“ The Peishwa has not only been uniformly and progressively jealous of the power of the British in India, but actually hostile to the utmost practicable extent, consistently with the security of his Government, and with the irresolution and timidity of his character.”

But large as was the actual offence of the Peishwa (as it is described in the indictment of the Governor General), it was not large enough for the purpose. So he is railed at and abused for being a traitor only by *halves*!—For that he had not given some bold and decisive sign of treason; that he had been a puny villain, without spirit sufficient to be the declared foe of the all-powerful East India Company. In *action*, he is *judged*;—when *quiescent*, he is *calumniated*—In both, his guilt is *decreed*, for it was *determined* that it should be so.

Now the Nabob of the Carnatic was as white as snow, when placed by the side of an offender so black: and what follows—

The Peishwa, by his neglect of his engagements with the Company, and of the overtures of the Governor General, falls into disputes with his neighbours, and is ultimately driven, an outcast, without a follower, from the circuit of his dominions; and is obliged to solicit an asylum in the territories of the Company.

Does the Governor General put in his claim, or assert his pretended rights to the territory of the Peishwa, arising out of the breach, the glaring breach of his engagements? Does he talk of satisfaction for the past, or security for the future conduct of his *Ally*? What is the *course of reasoning* and action into

which the Governor General then falls, for the satisfaction of his just revenge.

You can expect nothing less than that the Peishwa, like the Nabob Vizier, shall be caged; or like Marsyas, be flayed alive.

You need scarcely be informed, Sir, that so gracious an object did the dethroned Peishwa appear at this moment, that the Governor General wantonly interposed in his quarrels, and laid the foundation of an extensive and ruinous warfare, which has uninterruptedly prevailed to this moment; and now rages, and of which cannot be foreseen, either the termination or the event: a warfare, which has exhausted the Company's coffers, and dried up the means of the defence of their extensive settlements; and which, if protracted, must ruin, with their credit abroad, their affairs and their resources at home. I do not mean to find fault with the act of the Governor General, in the case of the Peishwa; nor shall I, for it is not my business at present, investigate, much less attempt to decide on the intrinsic merits of the action. All I intended is *done*. I have shown, that the principle of the Governor General was an easy and convenient principle; to be enforced or relaxed according to his will and pleasure. His right, as his argument, was in his sword.

Taking it to be an exercise of power, the question will then be, if it has been wisely and profitably, if not *justly* resorted to? And the shortest inquiry will convince us, that neither the occasion warranted the recourse to it, nor the opportunity, if it had been available, improved by the Governor General, either in the manner, or to the extent which it ought.

I take it, that it will not be disputed, so that the event of his policy were accomplished, that the effecting of it with the least possible injury, to supposed rights and feelings of individuals, and with the least possible insult to neighbouring Courts, was

a most desirable thing. And next to this, that the *job*, when done, I am speaking in the cant of *trade*, should be made as profitable to the Company as it could be.

It was manifest, through all the negociation about the Succession to the Musnud, that the whole of the family of his late Highness the Nabob Omdut ul Omrah; the whole of the noble and respectable Mahomedans about the Court; the whole of the people of the Carnatic, took a peculiar interest in the claims of his Highness Ally Hussein. I may satisfy myself with stating this, as the circumstance will not admit of question. It is apparent, in a hundred places, in the papers before the House of Commons.

It was, therefore, the peculiar duty of the local Governments, to have studied and persevered to have procured, if it had been practicable, the acceptance by the Prince Ally Hussein, of the terms which were afterwards offered to Azeem ul Dowlah.

The answer to this, perhaps, may be; why we *did* endeavour to treat with His Highness? but he would not come into our terms. And, I admit, that this answer would, for a moment, be entitled to credit. But it will then be asked, in what manner did you treat? Was it likely that the extreme kindness of your address should win, at the instant, the heart of the young Prince? Or were the terms of your propositions so easy, as they could not be refused? Be that as it may, it will be replied, he knew what the terms were, and he had time enough to consider them.

But surely a day or two of delay would have produced no very bad consequence; if it could have promised an adjustment less violent and sanguinary in its effect? No, the Prince was determined in his conduct, and a victim to bad advice; and therefore we betook ourselves to another with more compliancy of temper.

But was there always in the disposition of the Prince Ally Hussein, this determined acrimonious spirit of hostility to the mild proposals of the Company? Did he not exhibit, at any time of the negotiation, a submission to the will of his Allies? Yes, but it was then *too late*, for we were treating with the Prince Azeem ul Dowlah. But would it not have been better, to have broken off such negotiation, if not concluded, than have effected a measure which was certain in its nature to give a general disgust? No: the seal was placed by the Prince on his own fate; there was no place for repentance, no retractation of his act. Besides, would it not have been doing, at the period, an injury to the rights of the Prince Azeem ul Dowlah?

Now, pray, who was Azeem ul Dowlah? And what his pretensions? The father of Azeem ul Dowlah was Ameer ul Omrah (second Son of Mahomed Ally) a personage very noticeable on the records of the East India Company, and ever represented as entertaining sentiments the most hostile to the British influence; so that if treason were inheritable, Azeem ul Dowlah, on the principle of the Governor General, could have no very meritorious claims. As to *any* founded on hereditary descent, it was clear that he had *none*; as between him and the Musnud, there were several intervenient claims; so that in point of mere right, he had as much claim to the throne as the veriest stranger in the Country.

To talk of any rights of Azeem ul Dowlah, therefore, as standing in the way of the acceptance of the posterior submission of the Prince, would be farcical in the extreme; for you have seen the anxiety of the Governor General, after the conclusion of the original Treaty between Azeem ul Dowlah and the Government of Fort Saint George, to do away the possible supposition of the succession of that Prince being founded on the principle of hereditary right,

or on any *other*, than the moderation and bounty of the Company.

If then the feelings of mankind, and the principles of justice, were to be scorned and set at defiance, has the sin been rendered productive of pecuniary advantage, in a degree proportionate to its enormity? Has the young Prince's blood been compensated in price by *shekels of silver*?

Are the company so rich; or are they so callous, as to be careless equally of their wealth as the character of their Asiatic Governments, that their Governors may do just what they please, with the one, and with the other? The melancholy state of the Company's finances, and their frequent applications to Parliament for pecuniary aid, demonstrate at least that there is need of some care of their concerns; but I am free to confess, that steeped so much in blood as they are, the character of their government is almost beyond restitution.

If neither right nor conscience were to be consulted in the act, what need was there to fashion an *automaton* Nabob, at the expence which has been paid for it in the Treaty of 1801? He is not created, nor pretended to be created, for any one efficient use; nor is he *loco-motive*, unless moved by the wire of the master of the puppet. A barren sceptre is put into his hand, and a crown of thorns upon his head; and, in reality a *slave*, he is hailed with the title of king! A king without a *kingdom*, a *sovereign* without a *people*, a *people* without a *sovereign*, have the Indian Legislators formed, for the ridicule and mockery of the office, and for the astonishment of the Eastern world!

But it may be said, that there was some advantage to be gained by appearances, and that a show of delicacy was necessary.

That the Treaty was an *impising instrument*, and

was likely to have its beneficial effects at the Courts of Asia! I have just explained, how nice the Indian Governors have been about appearances. And if you will look at the Treaty of 1801, you will observe how far the squeamishness of delicacy has been carried:

I have remarked on the situation in which the Treaty has placed the creature of its hands. You have only to see the principle, or, as the Indian Government affect the term, the *vital spirit* of the Treaty, to pronounce it one of the most clumsy, bungling, and coarse attempts that was ever made for the deception of mankind. You will see the Company, in the *instrument*, giving the whole country of the Carnatic with one hand to the Nabob; and, with the other, receiving it back from him as a mark of his gracious bounty. You will see them duping and cajolling themselves, whilst they are supposing the world, the deluded instrument of the grossest imposition.

For the chance of the success of this juggler's trick, it certainly could not have been much worth the while of the Company to pay, as they have done in the Treaty, any very large sum.

I am aware that some pains, as well as money, have been employed in giving a sort of colouring to this act of power at the Eastern Courts, and elsewhere. Some of them, and more especially the Court of the Nizam, might, as it was foreseen, wish an explanation of a measure which in principle might not at first sight be comprehended, or admitted. The Resident at Hydrabad has indeed hinted at the distrust of that Court, which had been raised by the transaction; and has thanked the Governor General for having transmitted to him the Declaration and Appendix, not indeed to be shown to the Court, but as affording him the means of setting up an excuse for the British Government, or, in other words, of giving him the materials for blacken-

ing the memories of the Company's departed Allies.

Another labour has been assumed by the Eastern Governments, with the same intent, of making the idol of their creation subscribe letters, giving a fabulous relation of the principle on which he had been set up for worship. For it is impossible not to respect the letters of Azeem ul Dowlah, as the letters of the Government of Fort Saint George. He has a Secretary of their approbation, if not of their appointment; and they are the channel of the communication of all his correspondence with the Eastern and other Courts; and have the liberty to retain or reject it at their pleasure.

And the letters of Azeem ul Dowlah are no slight evidence, both of the known injustice of the act, and of the impossible excuse for it, but also of the manifest design in the Indian Governments to impose on every one who might be supposed to have a regard for the principle of hereditary right, which had been trod upon and violated by the favoured succession of that Prince.

In his communication to the Mogul, the fountain from which all the Sovereignty of the East is derived; and to the great and illustrious personage, who, with the heart-felt wishes of the people, and the wise provision of the law, is one day to fill a throne of distinguished grace, and undiminished royalty, happily nearer to our view: Azeem ul Dowlah is made to represent his rights, as growing out of hereditary descent; a foundation haply to be favoured by the princely, high-born minds, to whom the representation was made. But in his letters to the Court of Directors, to whom he well knew, that such a communication would be more a disrecommendation, than a circumstance of favour, he is obliged to express himself, with all the humility of their abject vassal and dependent.—Has shame no blush?

In this way has the property of the Company been *won*! In this way, *worn*!

The consequences, the natural consequences, resulting from such a line of *policy* (if it can be so termed), with respect to Asiatic Courts, are too manifest to be detailed. Some unhappy results we are now witnessing in the distress of the Treasury of the Company; and in the waste, the unnecessary and irremediable waste of the blood of their soldiers. The feelings of the Country are too much stricken to require that this should be enforced.

Of the immediate consequences, which trod on the foot of the act, and attended, from its completion, the youthful Prince, whom it went to depose; the wretched family of the Nabob Omdut ul Omrah; and the noble personages, who had held high official situations in the administration of the Government of the Carnatic—I had intended to speak. But my subject has extended beyond my expectation; and I feel myself too exhausted, at the instant, to give to this part of my narrative, either the vigour, or the feeling which it calls for.

If there be any thing flagrant or wicked in the dethronement itself of the Prince, which I think I have incontestably proved; the guilt of the deed is doubled, by the cruel, barbarous, and unfeeling manner in which it was brought about, and perfected in all its parts. Of this I shall not fail to give you an account at a future day.

I have now clearly demonstrated, Sir, that the dethronement of the Prince Ally Hussein, the lawful Sovereign of the Carnatic, and the placing of Azeem ul Dowlah in his stead, was an act of arbitrary power and flagrant injustice.

That the influence of the State has been used to the destruction of the laws of the State, which have denounced the accession of dominion, but by legal and declared means; that the attempted justification

of the Indian Governments, is neither founded in fact, nor defensible in system: that instead of truth, it presents falshood; instead of right, fraud; instead of conviction, defeat. It avows motives which are mentioned, but not felt; and asserts principles, which their acts are always contradicting. It is founded on an *imaginary* breach of treaty, whilst, in *reality*, it exhibits in its presumed defence, the most glaring abuse; the most palpable violation, and the most inexcusable contempt of the most solemn obligations.

It affords not the show or semblance of an excuse, whilst it boldly avows an act, which puts the boasted pride of England, and of Englishmen, to indelible and unspeakable shame!

The only retribution, which can now be made, on the exposure of such deeds, is, by giving a striking example to the world, that such things cannot be perpetrated, without rousing the indignant spirit of the Nation, whose character they asperse; nor, when perfected, can possibly escape the punishment which they provoke. The distance of the scene of action is not so wide, as to destroy the interest, or to cut off the proof, on which the national justice is invoked, and is to be asserted. And the season, I cannot but contemplate, as peculiarly adapted to the inquiry.

The administration of the affairs of the Country and of the East, is committed to *new* hands. And I am sure, that they will be as happy, as they are fortunate, in the occasion of showing that it has been confided to *pure* ones. They will be glad, not only to exhibit to their countrymen, a foretaste of the virtue of their administration, while they will afford to the Indian community, an instance of that integrity on which they mean their official character to rest. The season is propitious, too, in point of justice to the parties who are implicated in the transaction; they are all at hand to answer for the palpable acts of their Government. And the evidence is as little

out of reach, as the persons of the principals accused. It rests on the table of the House of Commons, and cries loudly for an immediate investigation.

The terror of the suggested inquiry, from the fate of a late impeachment, is removed, by the near presence of the proofs, and of the parties. The expence of the prosecution, if that were a consideration, is already paid; the scaffold is erected. Nothing remains, but that justice take its course.

The Company may feel a disinclination, to surrender Provinces, which have once come (no matter *how*) to their possession. But let the just spirit of our Government exert itself.

May the world be taught that the eye of British justice penetrates into the remotest regions; nor is her energy destroyed by time.

THE END.

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